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TULARE COUNTY HOUSING ELEMENT

December 9, 2003

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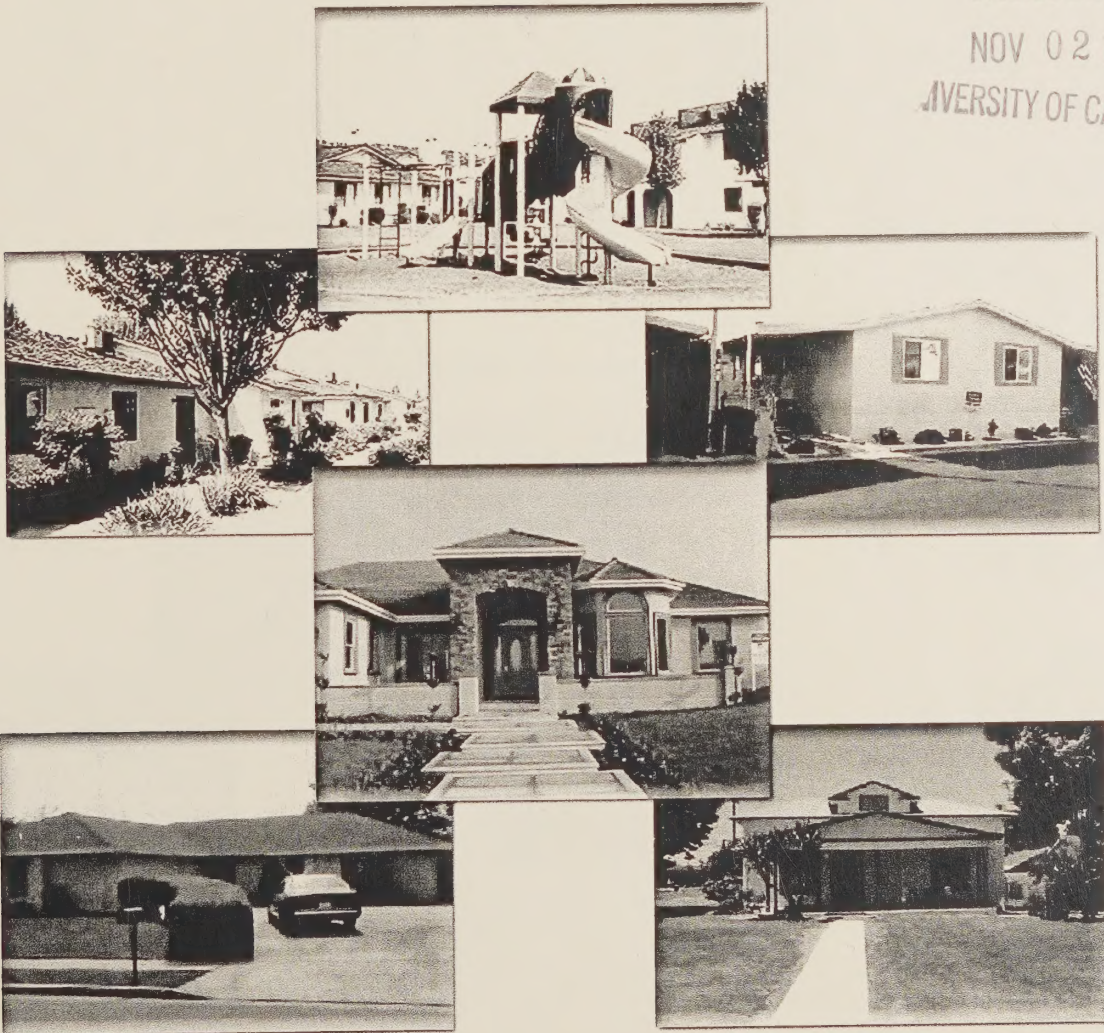


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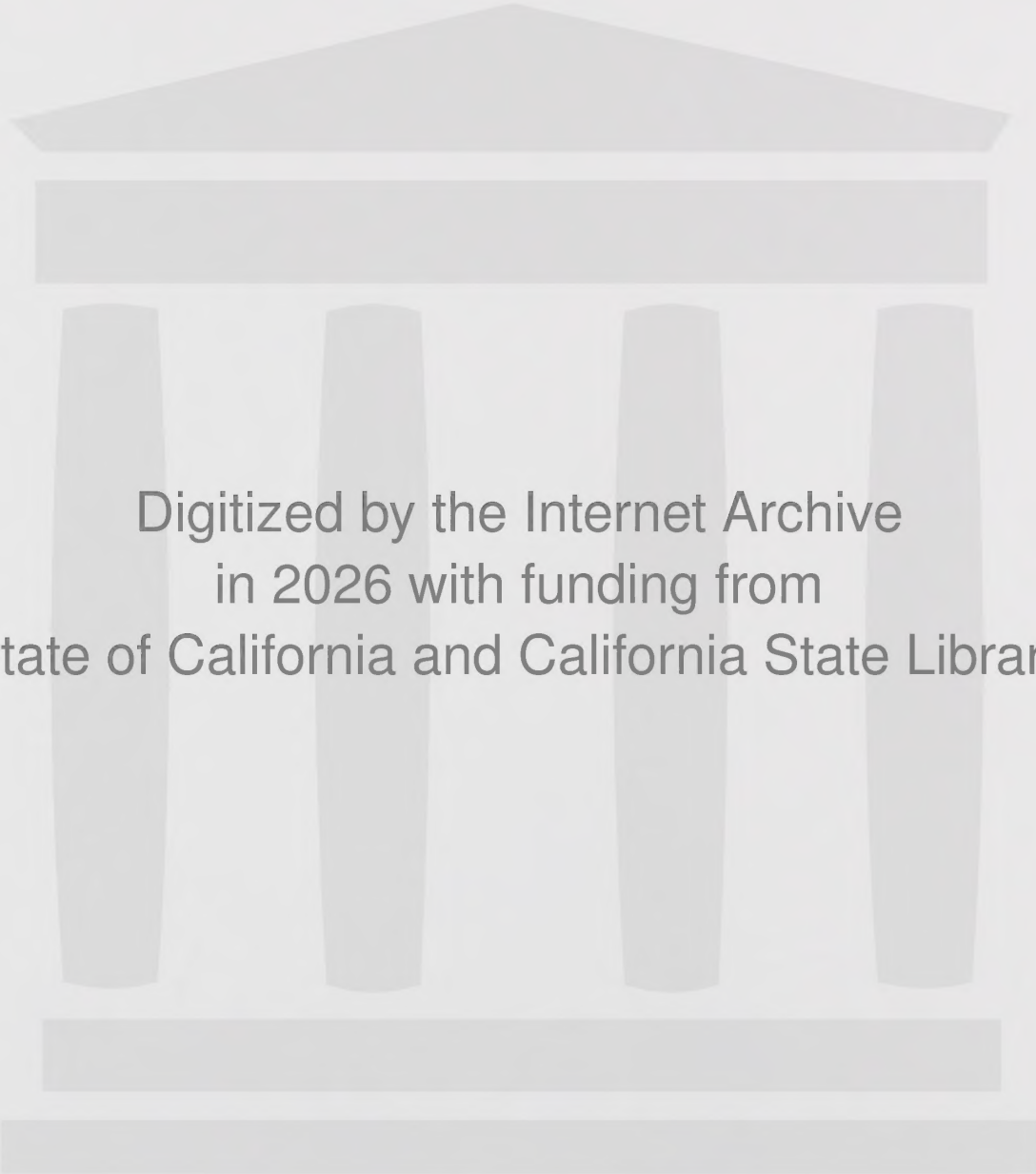
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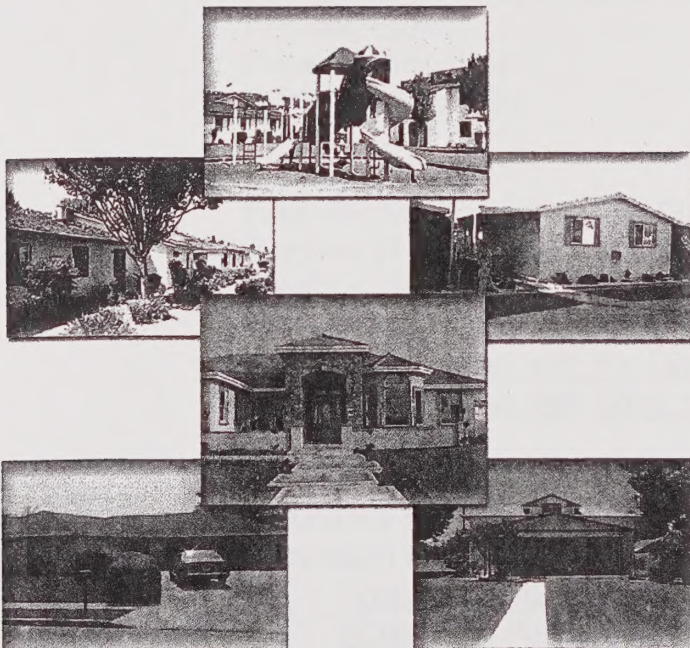
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PREFACE

This Housing Element Revision was adopted by the County Board of Supervisors as General Plan Amendment (GPA) 03-001 by Resolution 2003-0943 on December 9, 2003. The Element has been prepared pursuant to current Housing Element Law and Guidelines adopted by the Department of Housing and Community Development (State HCD). It contains standards and plans for the improvement of housing and for the provision of adequate sites. In addition, this Element makes adequate provisions for the housing needs of all economic segments of the unincorporated area of Tulare County. Finally, the Element identified both immediate and prospective needs for market-rate and nonmarket-rate households and sets forth a program to meet identified needs.

Housing Element law requires localities to update their Housing Elements at least every five years, and incorporate the regional allocation of housing needs by income group. Housing Element law also requires local housing elements to also incorporate an analysis of subsidized units at-risk of losing their subsidies, and to identify adequate sites suitable for all income levels, including multiple-family and factory-build housing, mobilehomes, emergency shelters, and transitional housing in order to meet the community's housing goals. In addition, Housing Element law requires housing elements to contain an estimate of "quantified objectives" which establishes the maximum number of housing units by income category that can be constructed, rehabilitated, and conserved over a five-year time frame.

Most recently, the Housing Element Law (reflective of SB 438 and 520 – Torlakson and Chesbro) requires localities to include an analysis of the "potential and actual constraints upon the development, maintenance, and improvement of housing for persons with disabilities and demonstrate local efforts to remove governmental constraints that hinder the locality from meeting the need for housing for persons with disabilities." Further, the law requires, as part of the constraints program, "programs that remove constraints or provide reasonable accommodations for housing designed for persons with disabilities." Finally, SB 1866 – Wright, requires that localities remove barriers that impede the use of density bonus and second units laws. It also expands the application of the State-mandated density bonus to include a density bonus for projects that reserve 20% of the units for moderate-income homebuyers. A copy of the most recent version of Housing Element Law is provided in Appendix A.

Most of the data used in this document was obtained from the 1990 and 2000 U.S. Census and data which has become available subsequent to the adoption of the 1992 Housing Element. This newly available data has provided a more accurate picture of the housing situation in Tulare County.

EXECUTIVE SUMMARY

Introduction

State Housing Element Law requires that Housing Elements throughout the State be updated by the local jurisdiction every five years. Due to State budget constraints related to the development of regional housing needs between 1997 and 2001, the update schedule was extended from 1997 to 2003 for Tulare County. This Element was adopted by the Tulare County Board of Supervisors on December 9, 2003 following receipt of a compliance letter from the State Department of Housing and Community Development on the Draft Housing Element and Responses to HCD comment letters. The adopted Element will be forwarded to State HCD in January 2004 to comply with the mandatory 90-day HCD review period to insure that the comments and responses agreed to by the County and State HCD were incorporated into the adopted Housing Element.

The State requires that Housing Elements be prepared to address the following requirements:

- ◆ To assure that counties and cities recognize their responsibilities in contributing to the attainment of the State housing goal. Local and State governments have a responsibility to use the powers invested in them to facilitate the improvement and development of housing to make adequate provision for housing needs of all economic segments of the community.
- ◆ To recognize that each locality is best capable of determining what efforts are required by it to contribute to the attainment of the State housing goal, provided such a determination is compatible with the State housing goal and regional housing needs. In carrying out this responsibility, each local government also has the responsibility to consider economic, environmental, fiscal factors, community goals set forth in the general plan, and to cooperate with other local governments and the State in addressing regional housing needs.

The Government Code is very specific with regard to the required contents of housing elements. Highlights of the information contained in the Tulare County Housing Element are summarized under excerpts from the Housing Element Review Worksheet (in bold type), which prescribe each subject area, along with notations of the page numbers in the Draft Housing Element where more detailed descriptions can be found.

Consistency with Other General Plan Elements

I-7

Chapter I – Introduction provides a review of consistency with other General Plan Elements and a discussion of the current General Plan Update process. Section 65300.5 of the Government Code states that the General Plan shall be comprised of an integrated and internally consistent set of policies. Consistency is important because general plan designations and subsequent zoning must provide for a range of housing types consistent with housing needs. To insure continued consistency with other elements and plans and policies, the County of Tulare is currently in the process of updating its General Plan to reflect growth and development through to the Year 2025. General Plan Elements to be updated as part of the 2025 General Plan program include the State-mandated land use, circulation, open space/conservation, and safety and noise elements. The update process is envisioned to be a comprehensive overview of the County's General Plan and will be completed in 2005. Any required changes to the Housing Element to provide for consistency between this Element and the General Plan will also be addressed during the General Plan Update process.

Housing Needs

The housing goals, policies and programs set forth in this Housing Element are based upon a thorough analysis of the factors listed below and in Chapter II:

	<i>Owner</i>	<i>Renter</i>	<i>Total</i>	<i>Page #</i>
◆ Number of existing households and housing units:				
➤ Households	25,092	14,829	39,921	II-43
➤ Housing Units			45,116	II-43
◆ Lower Income Households overpaying for housing:				
➤ Total number	3,073	5,032	8,105	II-41
➤ Percent lower income	12%	34%	20%	II-41
◆ Special housing needs analysis and estimated number of households:				
➤ Disabled			47,678	II-14
➤ Elderly (Senior)	6,998	1,399	8,397	II-13
➤ Large households (families)			6,042	II-19
➤ Farmworkers			12,566	II-23
➤ Families with female head (Single heads)			2,848	II-20

	Owner	Renter	Total	Page #
➤ Homeless (Households w/emergency needs)			563	II-30
➤ Other				
▪ Minority Population			37,009	II-9
▪ Displaced				II-16
▪ Southeast Asian Population			4,312	II-28
▪ Teen pregnancy				II-32
◆ Number of overcrowded households:	3,941	4,982	8,923	II-17
◆ Number of housing units needing rehabilitation/replacement:				II-50

HOUSING CONDITIONS							
Unincorporated Communities, Tulare County, 2003							
Community	SOUND		DETERIORATED		DILAPIDATED		TOTAL
	Number	Percent	Number	Percent	Number	Percent	
Allensworth	7	11%	27	42%	31	48%	65
Alpaugh	31	29%	30	28%	47	44%	108
Camp Nelson	126	77%	35	21%	3	2%	164
Cedar Slope	23	72%	9	28%	0	0%	32
Cutler-Orosi	607	86%	77	11%	20	3%	704
Delft Colony	21	22%	55	57%	20	21%	96
Ducor	32	60%	19	36%	2	4%	53
Earlimart	215	53%	121	30%	67	17%	403
East Orosi	14	19%	51	71%	7	10%	72
East Porterville	195	51%	148	38%	42	11%	385
El Rancho	9	26%	8	24%	17	50%	34
Elderwood	52	67%	24	31%	2	3%	78
Goshen	120	76%	34	22%	3	2%	157
Ivanhoe	214	69%	74	24%	21	7%	309
Lemon Cove	47	52%	38	42%	5	6%	90
Lindcove	59	44%	49	37%	25	19%	133
London	44	38%	60	51%	13	11%	117
Matheny Tract	27	23%	46	39%	46	39%	119
Monson	12	38%	17	53%	3	9%	32
Nanceville	55	69%	21	26%	4	5%	80
Patterson Tract	156	72%	53	24%	9	4%	218
Pixley	92	46%	77	38%	33	16%	202
Plainview	12	20%	23	39%	24	41%	59
Ponderosa	112	93%	8	7%	0	0%	120

HOUSING CONDITIONS (Continued)							
Unincorporated Communities, Tulare County, 2003							
Community	SOUND		DETERIORATED		DILAPIDATED		TOTAL
	Number	Percent	Number	Percent	Number	Percent	
Poplar-Cotton Center	109	42%	78	30%	70	27%	257
Porterville Fringe	431	83%	87	17%	2	0%	520
Richgrove	74	46%	51	32%	35	22%	160
Seville	23	33%	40	57%	7	10%	70
Springville	94	52%	72	40%	14	8%	180
Strathmore	97	49%	82	41%	21	11%	200
Sultana	36	38%	40	42%	19	20%	95
Terra Bella	101	40%	106	42%	45	18%	252
Teviston	22	29%	17	23%	36	48%	75
Three Rivers	329	86%	50	13%	4	1%	383
Tipton	105	76%	28	20%	6	4%	139
Tonyville	10	20%	26	52%	14	28%	50
Tooleville	12	24%	21	41%	18	35%	51
Tract 51	9	16%	21	38%	25	45%	55
Tract 92	45	53%	29	34%	11	13%	85
Tract 213	72	74%	25	26%	0	0%	97
Traver	18	33%	27	49%	10	18%	55
Tulare Fringe	405	97%	11	3%	0	0%	416
Visalia Fringe	472	94%	31	6%	0	0%	503
Waukena	14	56%	8	32%	3	12%	25
Wells Tract*	11	23%	29	62%	7	15%	47
Woodville	52	52%	30	30%	18	18%	100
Yettem	4	8%	27	54%	19	38%	50
SURVEY TOTAL	4,827	63%	2,040	27%	828	11%	7,695

Survey conducted by Central Valley Christian Housing Development, Inc.

* Wells Tract was a separate survey conducted by Self Help Enterprises

◆ **Population and Employment Trends:**

➤ **Population**

II-1

According to the 2000 Census, the total population of the Tulare County unincorporated area was 141,150, which represented 38.4% of the total County population of 368,021 persons. The unincorporated population in the year 2000 represents a 6% increase over the year 1990, when the unincorporated population was 133,203.

➤ **Employment**

II-32

Employment information supplied by State Employment Development Department (EDD) is available for Tulare County as a whole. Tulare County has one of the highest rates of unemployment in the nation, due in large part to the seasonal nature of agricultural employment. Year 2000 U.S. Census figures reveal an unemployment rate of 12.7% for Tulare County. Within the unincorporated area, the Year 2000 Census indicated that 15.8% of the labor force was unemployed, indicating that higher unemployment exists within the unincorporated areas of the County. Employment figures released by EDD for March 2003 indicated an unemployment rate in Tulare County of 18.3 percent.

◆ **Analysis of Existing
Assisted Housing Projects At-risk:**

II-56

The U.S. Department of Agriculture California Rural Development Office reported that 10 multi-family rural housing rental developments, or 281 units were currently under subsidized housing contracts (reference the following table). There were no Section 8 units at-risk of losing subsidies. Goals and policies contained in Chapter VI have been identified to address the loss of these units to market rate housing.

AT-RISK HOUSING UNITS
Tulare County Unincorporated Area, 2002

Unincorporated Community	Development	# of Assisted Units	Type of Assistance Received	Earliest Date of Change from Low Income Use	Public and Private Corporations that may have Resources to Maintain Low Income Use
Earlimart	Earlimart Senior Apts	34	Section 615 - Elderly	2028	N/A
Earlimart	Westwood Manor	13	Section 615 - Family	2021	N/A
Ivanhoe	Oakwood Apts	23	Section 615 - Family	2021	N/A
Orosi	Alta Vista Apts	41	Section 615 - Elderly	2009	N/A
Orosi	Orchard Manor Apts	28	Section 615 - Family	2014	N/A
Orosi	Orchard Manor II	14	Section 615 - Family	2004	*1
Orosi	Sequoia View Apts	32	Section 615 - Family	2028	N/A
Pixley	Pixley Apts	35	Section 615 - Family	2007	*1
Strathmore	Strathmore Villa	36	Section 615 - Family	2007	*1
Tipton	Tipton Terrace Apts	25	Section 615 - Family	2010	N/A
Total	10	281			
Source: USDA CA Rural Development Office					

N/A Not applicable to the planning period

*1 Low-income preservation funding will be sought by non-profit housing organizations to finance and/or rehabilitate these at-risk units in an effort to keep them affordable. The agencies will meet with representatives of these developments to determine their plans for the developments beyond 2004 and 2007. In addition, Proposition 46 provides funds for the preservation of at-risk units. The RMA will contact each of the affected development representatives and provide them with details regarding Proposition 46 funding. It should be noted that only 85 units will be at-risk of losing subsidies during the planning period. Based upon results of Table 3-4, sufficient land will be available for affordable housing during the planning period.

◆ **Five-year New Construction
Needs:**

II-46

The following tables contain the projected need for additional housing by income category for year 2001 through 2008.

EXISTING AND PROJECTED HOUSING NEED Year 2001-2008		
Jurisdiction	2001 Existing Housing Stock	2008 Projected Need for Additional Housing Units
Dinuba	4,732	1,003
Exeter	3,203	663
Farmersville	2,292	376
Lindsay	2,867	308
Porterville	12,823	3,453
Tulare	14,397	3,927
Visalia	33,168	8,646
Woodlake	1,899	369
Unincorporated Area	45,414	2,250
Tulare County	120,795	20,992
<i>Source: Regional Housing Needs Plan, 2002</i>		

DISTRIBUTION OF HOUSING NEED Selected Unincorporated Communities, 2001-2008			
Jurisdiction	2001 Existing Housing Stock	2008 Projected Number of Housing Units	Housing Unit Growth 2001-2008
Alpaugh	251	260	9
Cutler-Orosi	2758	3103	345
Ducor	132	137	5
Earlimart	1604	1744	140
East Orosi	105	109	4
East Porterville	1838	1998	160
Goshen	602	673	71
Ivanhoe	1201	1261	60
Lemon Cove	171	177	6
London	437	453	16
Pixley	708	791	83
Poplar-Cotton Center	378	391	13
Richgrove	589	654	65
Springville	613	635	22
Strathmore	763	801	38
Terra Bella	823	864	41
Teviston	75	78	3
Three Rivers	1307	1421	114
Tipton	488	530	42
Traver	191	213	22
Wells Tract	47	49	2
Woodville	375	408	33
Yettam	50	52	2
Remaining Unincorporated	29610	30565	955
TOTAL:	45116	47366	2250
Source: VRPA Technologies			

Land Inventory

III-1

As shown in the Tables 3-1A through 3-1C in Chapter III, an adequate amount of residentially zoned vacant land is available within the Urban Area Boundaries or Service Areas of the unincorporated communities listed. Based upon results of this process, vacant acreage currently zoned for residential development will meet the estimated need for 2,250 units between January 1, 2001 and July 1, 2008. The tables provide detail regarding available sites for low and very-low income households considering the sewer, water, and other constraints discussed in Chapters III and IV.

Constraints on Housing

Chapter IV includes a discussion of private market, governmental, and physical constraints upon the production of housing, as well as current and past actions aimed at minimizing or removing those constraints.

◆ Governmental Constraints:	IV-4
➤ Land use controls	IV-4
➤ Codes and enforcement	IV-10
➤ On/Off-site improvements	IV-9
➤ Fees & exactions	IV-13
➤ Processing and permit procedures	IV-12
➤ Other governmental constraints	IV-11
➤ Constraints on housing for persons with disabilities	II-13
◆ Nongovernmental Constraints:	IV-1
➤ Availability of financing	IV-2
➤ Price of land	IV-2
➤ Cost of construction	IV-2
➤ Other nongovernmental constraints	IV-3

Review and Revision	V-1
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Chapter V discusses the progress that has been made in meeting the housing needs of Tulare County including a discussion of progress toward meeting new construction needs identified in the 1991 Tulare County TCAG Regional Housing Needs Plan. In addition, the Chapter includes a description of existing housing programs in operation in Tulare County, and an evaluation of the County's success in meeting housing needs and implementing policies and programs, which were contained in the Housing Element adopted in 1992.

◆ Effectiveness of the Element	V-1
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The following table summarizes the County's progress toward meeting the 1990-2001 housing affordability targets in the unincorporated area. This includes new construction needs identified in the 1991 Regional Housing Needs Plan and for those years 1997 through January 1, 2001 to reflect the revised Housing Element cycle, and rehabilitation, preservation and assistance program accomplishments. Information presented in the table was developed based upon accomplishments provided by both governmental agencies and non-profit agencies involved in the provision or improvement of housing in Tulare County.

PROGRESS IN MEETING PREVIOUS QUANTIFIED HOUSING OBJECTIVES Tulare County Unincorporated Area January 1, 1990 through January 1, 2001					
Unit Type/Description	# of Units	Very Low	Low	Moderate	Above Moderate
NEW CONSTRUCTION					
Market Rate					
Single Family	900	0	48	296	555
Multiple Family	22	11	12	0	0
Mobile Homes	73	61	12	0	0
Subtotal Market Rate	995	72	72	296	555
Single Family Affordable/Assisted					
Redevelopment Agency	0	0	0		
USDA Single-Family Program	605	Unknown	Unknown		
Subtotal SF Affordable/Assisted	605	Unknown	Unknown	0	0
Multiple Family Affordable Projects					
Redevelopment Agency	0	0	0		
CDBG Housing Loan Fund	0	0	0		
HOME	0	0	0		
USDA Multiple-Family Program	196	Unknown	Unknown		
Self Help Enterprises Farmworker Rental Housing	49	49	0		
Self Help Enterprises Lower Income Rental Housing	159	Unknown	Unknown		
Self Help Enterprises	208	Unknown	Unknown		
Subtotal MF Affordable/Assisted	612	49	0	0	0
Other					
CSET Youthbuild Homes	4	Unknown	Unknown		
Subtotal Other	4	Unknown	Unknown		
Subtotal Non-Market Rate	1221	49	Unknown		
TOTAL Net Unit Gain:	2216	121	72	296	555
RHNA (January 1, 1990 to July 1, 1997)	5405	1404	1242	1067	1696
WEATHERIZATION					
Self Help Enterprises	Unknown	Unknown	Unknown		
So Cal Edison	Unknown	Unknown	Unknown		
So Cal Gas	Unknown	Unknown	Unknown		
PG&E	Unknown	Unknown	Unknown		
TOTAL	Unknown	Unknown	Unknown	0	0

PROGRESS IN MEETING PREVIOUS QUANTIFIED HOUSING OBJECTIVES

**Tulare County Unincorporated Area
January 1, 1990 through January 1, 2001**

Unit Type/Description	# of Units	Very Low	Low	Moderate	Above Moderate
ACQUISITION					
First Time Homebuyers - HOME	15	1	14		
TOTAL	15	1	14	0	0
REHABILITATION					
CDBG					
CDBG Housing Rehabilitation Program	58	43	15		
<i>Subtotal CDBG</i>	58	43	15	0	0
Redevelopment Agency Rehabilitation Programs					
Redevelopment Low- Moderate-Income Housing Fund (LMIHF)	9	5	4		
<i>Subtotal RDA Rehab Programs</i>	9	5	4	0	0
HOME Rehabilitation					
HOME Housing Rehabilitation Program	24	17	7		
HOME CHDA	0	0	0		
<i>Subtotal HOME Rehab Programs</i>	24	17	7	0	0
Other					
USDA - Single Family	385	Unknown	Unknown		
Cal HOME Owner-Occupied Emergency	0	0	0		
Housing Preservation Grant Repairs	14	10	4		
State Farmworker Housing Grant	0	0	0		
Comprehensive Grant Program (HUD)	0	0	0		
Purchase/Rehab./Resale - CV Housing	56	Unknown	Unknown		
Other SHE Rehabilitation Program With CDBG & HOME	418	418	0		
<i>Subtotal Other Rehab.</i>	873	428	4		
TOTAL	964	493	44	0	0
PRESERVATION					
CHFA Multi-Family Preservation	Unknown	Unknown	Unknown		
<i>Subtotal Preservation</i>	Unknown	Unknown	Unknown		
TOTAL	Unknown	Unknown	Unknown	0	0
ASSISTANCE					
Housing Authority Section 8 Voucher	300	Unknown	Unknown		
Homeless Programs	Unknown	Unknown	Unknown		
<i>Subtotal Assistance</i>	300	Unknown	Unknown		
TOTAL	300	Unknown	Unknown	0	0

The estimate of new market rate housing units was developed by subtracting the total number of new non-market rate housing units from the total number of building permits issued by Tulare County over the eleven-year period. It should be noted that the 2000 Census indicates a smaller increase in total unit growth between the 1990 and 2000 Census when compared to the building permit data provided to the State of California on an annual basis. Annexations were also estimated, as well as total demolitions during the same period, resulting in a total housing unit growth of 2,216 units. The 1991 Regional Housing Needs Plan indicated a housing need within the unincorporated area of 5,405 units, far fewer than were provided even over the eleven-year time frame. The primary reason for the significant shortfall in new units stems from the recession experienced in Tulare County between 1991 and 1997, several major disasters including a citrus freeze, flooding and closure of several long-standing companies that employed large numbers of County residents.

◆ **Progress in implementation:**

V-10

Many of the goals, objectives and policies contained in 1992 Housing Element are long-range and continuous in nature and require ongoing implementation. However, some policies were more specific and progress can be measured. Policies of this type that have been implemented are listed in Chapter V.

◆ **Appropriateness of goals, objectives and policies:**

V-13

Progress toward meeting the policies and programs outlined in the 1992 Housing Element is contained in Chapter V.

**Analysis of Opportunities for Energy Conservation
in Residential Development**

V-35

The County continues to enforce and streamline implementation of State Residential Energy Standards. Further, the County continues to review existing and proposed codes and ordinances to assure that they do not deter the construction of innovative energy efficient housing. Finally, the County continues to enforce the provisions of the Subdivision Map Act regulating energy efficiency subdivision design.

Quantified Objectives

VI-1

Chapter VI sets forth the goals, objectives, policies and programs designed to address housing issues within the unincorporated area of Tulare County, as identified in previous chapters of the Element.

Tulare County both subscribes to this goal and obtains direction from it in formulating its own goals. Additionally, HCD has established the following four primary goals:

- ◆ The provision of new housing
- ◆ The preservation of existing housing and neighborhoods
- ◆ The reduction of housing costs
- ◆ The improvement of housing conditions for special needs groups

Housing objectives for the Tulare County unincorporated area have been identified to meet projected housing needs in Tulare County. A list of the programs, responsible agencies and the estimated number of households is provided in the table below.

QUANTIFIED HOUSING OBJECTIVES Tulare County Unincorporated Area January 1, 2001 through July 1, 2008					
Unit Type/Description	# of Units	Very Low	Low	Moderate	Above Moderate
NEW CONSTRUCTION					
Market Rate					
Single Family	1234	0	2	202	1030
Multiple Family	61	61	0	0	0
Mobile Homes	142	142	0	0	0
Subtotal Market Rate	1437	203	2	202	1030
Single Family Affordable/Assisted					
Redevelopment Agency	0	0	0		
HOME	0	0	0		
USDA	413	188	225		
Tax Credits	0	0	0		
Subtotal SF Affordable/Assisted	413	188	225	0	0
Multiple Family Affordable Projects					
Redevelopment Agency	0	0	0		
CDBG Housing Loan Fund	0	0	0		
HOME	0	0	0		
State Farmworker Housing Grant (Current)	50	50			
State Farmworker Housing Grant (Future)	150	150			
Self Help Rental Units	200	125	75		
Subtotal MF Affordable/Assisted	400	325	75	0	0
TOTAL	2250	716	302	202	1030
RHNA	2250	716	302	202	1030
ACQUISITION					
First Time Homebuyers - HOME	25	2	23		
First Time Homebuyers - CDBG	0	0	0		
TOTAL	25	2	23	0	0

QUANTIFIED HOUSING OBJECTIVES
Tulare County Unincorporated Area
January 1, 2001 through July 1, 2008

Unit Type/Description	# of Units	Very Low	Low	Moderate	Above Moderate
REHABILITATION					
CDBG					
CDBG Housing Rehabilitation Program	35	5	30		
<i>Subtotal CDBG</i>	35	5	30	0	0
Redevelopment Agency Rehabilitation Programs					
Redevelopment Low- Moderate-Income Housing Fund (LMIHF)	25	4	21		
<i>Subtotal RDA Rehab Programs</i>	25	4	21	0	0
HOME Rehabilitation					
HOME Housing Rehabilitation Program	25	4	21		
HOME CHDO	10	Unknown	Unknown		
<i>Subtotal HOME Rehab Programs</i>	35	4	21	0	0
Other					
Cal HOME Owner-Occupied Emergency	35	3	17		
USDA Single-Family	263	Unknown	Unknown		
State Farmworker Housing Grant	80	80	0		
Housing Preservation Grant	5	5	0		
Comprehensive Grant Program (HUD)	105	Unknown	Unknown		
Purchase/Rehab./Resale – CV Housing	10	Unknown	Unknown		
<i>Subtotal Other Rehab.</i>	483	13	17		
TOTAL	578	26	89	0	0
PRESERVATION					
None	0	0	0		
<i>Subtotal Preservation</i>	0	0	0		
TOTAL	0	0	0	0	0
ASSISTANCE					
Housing Authority Section 8 Voucher	300	300			
Homeless Programs	Unknown	Unknown			
<i>Subtotal Assistance</i>	300	300			
TOTAL	300	300	0	0	0
WEATHERIZATION					
CSET	180	Unknown	Unknown		
Self Help Enterprises	Unknown	Unknown	Unknown		
So Cal Edison	Unknown	Unknown	Unknown		
So Cal Gas	Unknown	Unknown	Unknown		
PG&E	Unknown	Unknown	Unknown		
TOTAL	180	Unknown	Unknown	0	0

Amount and Use of the Low- and Moderate-Income Housing Fund VI-4

Housing Programs VI-10

The ability of the County to carry out programs, which provide or improve housing, will continue to depend on the availability of Federal and State grants and local funds. The availability of County funds and staff, as well as County priorities, will obviously determine the ultimate implementation date of each program. No program in the Element is intended to commit the County to expend unavailable resources. In addition to the contingency on County resources, implementation of all programs is subject to a current trade-off analysis that considers social, economic and environmental impacts. A complete list of Housing Policies and Programs is provided in Table 6-3 in Chapter VI. In addition, a complete detailed listing of the goals, objectives, policies and programs is also included.

Public Participation VII-1

Staff initiated the citizen participation process through discussions with the 2002-03 Housing Element Advisory Committee. This committee was appointed by the Resource Management Agency (RMA) and represented a diverse group of individuals and organizations that are concerned with housing issues. The Housing Advisory Committee was composed of representatives of the County Housing Authority and non-profit housing providers and advocates who represent lower-income households within the County. The Committee meetings were not posted on the County WEB site; however, they will be posted in the future. Comments received from this committee were integrated into the Final Housing Element.

The RMA staff has also carried on a dialogue with business, civic and citizen groups during the preparation of the Housing Element draft. Meetings were held to discuss the document and review comments and recommendations of various community groups. Some comment was received via telephone conversations. The groups representing the business sector of the community included: the Building Industry Association, Self-Help Enterprises, Central Valley Christian (CVC) Housing Development Corporation, and Continuum of Care. The civic and citizen groups included representatives from the Tulare County Housing Authority, the Tulare County Association of Governments, various divisions of the RMA, the County Department of Social Services, and other interested agencies and housing providers.

To provide opportunity for public review and comment on the Draft Housing Element, a Workshop was held on June 25, 2003 at the RMA offices. The Workshop was legally noticed in the Visalia Times Delta and other newspapers of general circulation within the County. The notices were not prepared in both English and Spanish and were not posted on the County's WEB site; but will be in the future. The Workshop involved

review of the Draft Housing Element and provided an opportunity for the public and affected agencies to inquire and comment on proposed programs contained in the Element. Comments received during the Workshop were incorporated into the Final Housing Element, which was forwarded to the Planning Commission and Board of Supervisors for review and approval. Public hearings at these meetings were conducted and properly noticed as stated above. The RMA has also identified the need for an annual workshop to review the progress of Housing Element.

CHAPTER I INTRODUCTION

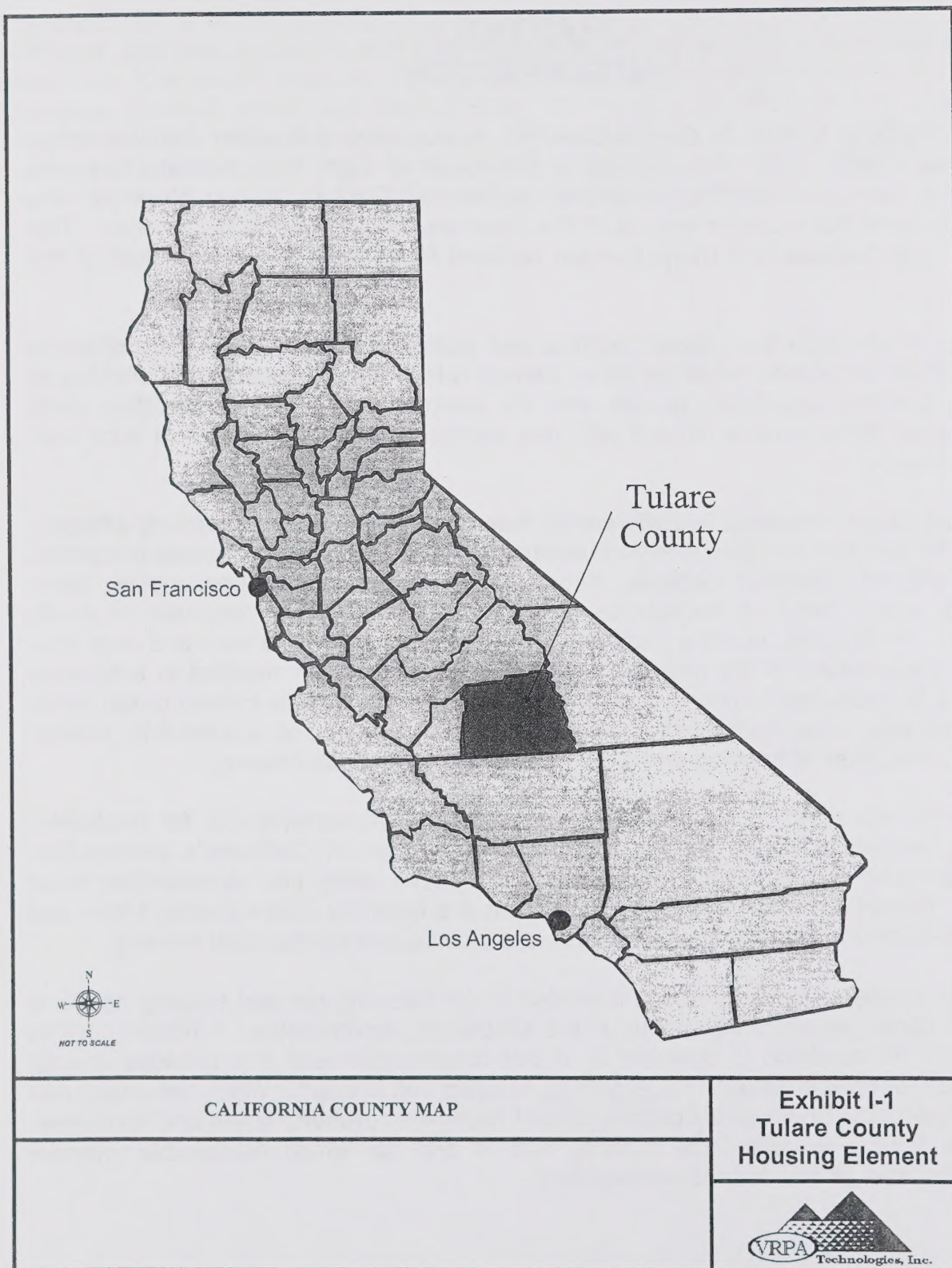
Tulare County is located in Central California in the heart of the San Joaquin Valley (reference Exhibit 1-1). The County is composed of eight incorporated cities and numerous unincorporated communities (reference Exhibit 1-2). Most of the unincorporated communities and all of the cities are located on the Valley floor. The foothills and Sequoia and Kings Canyon National Parks form the eastern half of the County.

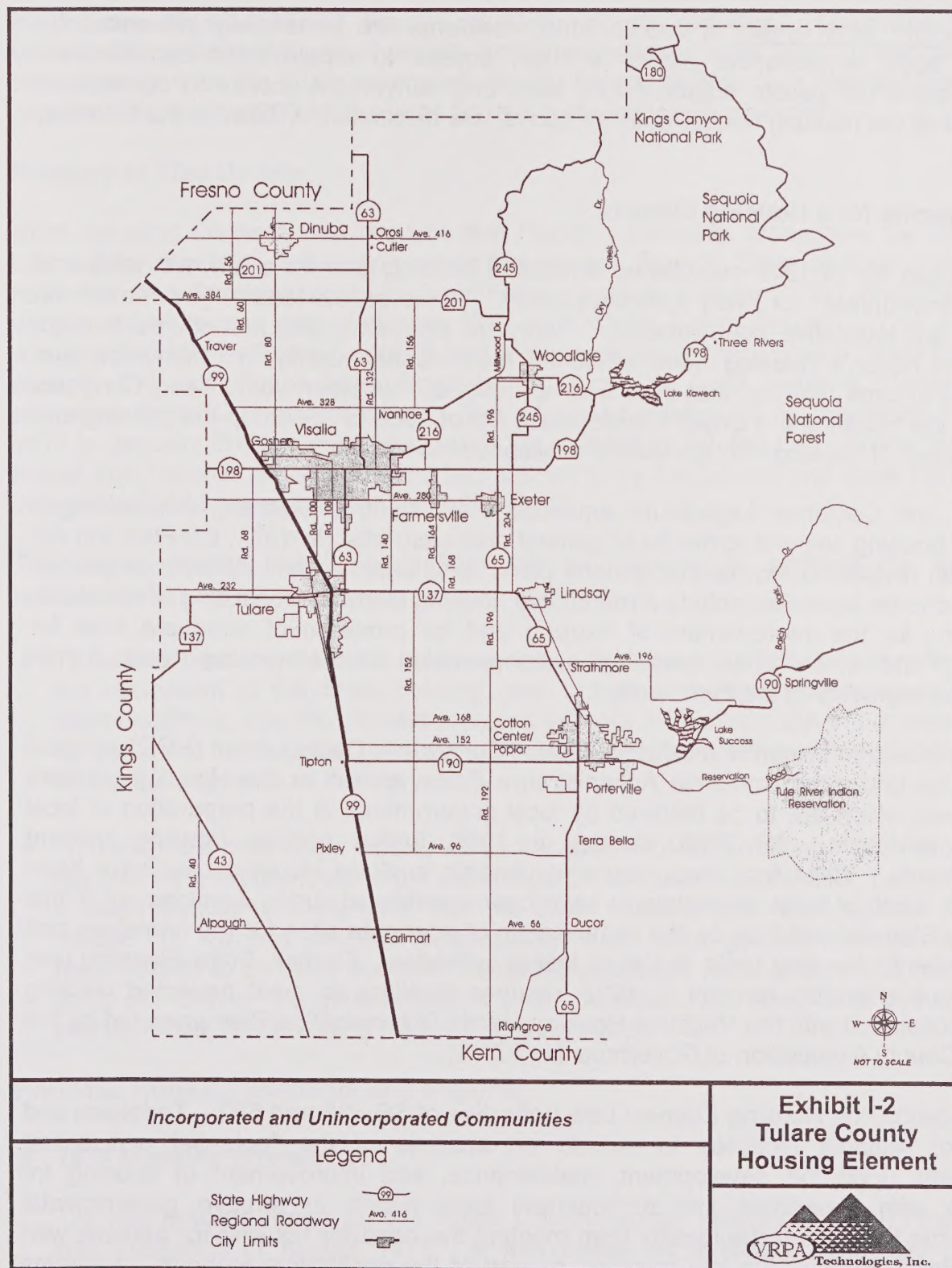
Housing needs arise from social, political and economic forces, since they influence such factors as income, vacancy rates, interest rates, the condition and availability of existing housing, population growth, and the environment. To make matters more complicated, these factors interact with one another to further influence or alter their characteristics.

All Tulare County residents are affected by these factors. Many are adversely affected, especially low- and very low-income households. These households include minorities, senior citizens, disabled persons, large families, overcrowded households, farm-workers, single head of households and households displaced because of public activities. Previously, housing problems were primarily related to low- and very low-income households; in the early 90's, the economic recession resulted in a housing dilemma for moderate-income households as well. This moderate-income group, while not faced with occupying substandard housing, had to adjust to smaller lots, smaller houses, new types of housing and a delayed ability to purchase housing.

To put the situation in perspective, the prospect for homeownership for moderate-income families in Tulare County is much brighter than in California's metropolitan areas, primarily due to lower overall housing cost, even taking into consideration lower wages. However, much more serious problems are faced by Tulare County's low- and very low-income residents, such as inadequate income and substandard housing.

An array of special housing needs is related to the following general housing needs: a suitable home, an affordable home, and a satisfactory environment. A housing unit is suitable if its condition is standard, it is not overcrowded and if it provides special amenities for special needs. An affordable housing unit is one for which the owner can meet reasonable financial obligations toward mortgage, property taxes and insurance. For the renter, an affordable housing unit is one for which reasonable financial obligations can be met toward contract rent.





A satisfactory environment is one in which residents are beneficially influenced by services such as adequate public facilities, access to employment opportunities, transportation, compatible adjacent land uses and convenient access to commercial uses. All of the housing needs, outlined above, are discussed in detail in the following chapters.

Requirements for a Housing Element

The Housing Act of 1949 established a national housing goal for a "decent home and suitable environment for every American family." However, the federal government did not develop legislative commitments in terms of programs and procedures through which the nation's housing need would be met. Consequently, for many low and moderate-income families, that goal was not fulfilled. Nineteen years later, Congress adopted the Housing and Urban Development Act of 1968 to speed up the building and rehabilitation of housing through federal assistance incentives.

In 1967, the California Legislature amended the California Planning Act, adding a required housing element to the list of general plan elements. In 1971, the Planning Act was again revised to require that general plans of all counties and cities, both general law and charter agencies include a mandatory housing element "consisting of standards and plans for the improvement of housing and for provision of adequate sites for housing," and which "shall make adequate provision of the housing needs for all economic segments of the community."

In 1977, the State Department of Housing and Community Development (HCD) adopted regulations under the California Administrative Code, known as the Housing Element Guidelines, which are to be followed by local governments in the preparation of local housing elements. AB 2853, enacted in 1980, further codified housing element requirements. Since that time, new amendments to State Housing Law have been enacted. Each of these amendments have been considered during development of this Housing Element and include the identification of adequate sites for the homeless and multiple-family housing units at risk of losing subsidies. Further, State Planning law, which took effect on January 1, 1992, requires localities to meet projected housing needs consistent with the Regional Housing Needs Determination Plan prepared by the Tulare County Association of Governments (TCAG).

Most recently, the Housing Element Law (reflective of SB 438 and 520 – Torlakson and Chesbro) requires localities to include an analysis of the "potential and actual constraints upon the development, maintenance, and improvement of housing for persons with disabilities and demonstrate local efforts to remove governmental constraints that hinder the locality from meeting the need for housing for persons with disabilities." Further, the law requires, as part of the constraints program, "programs that remove constraints or provide reasonable accommodations for housing designed

for persons with disabilities.” Finally, SB 1866 – Wright, requires that localities remove barriers that impede the use of density bonus and second units laws. It also expands the application of the State-mandated density bonus to include a density bonus for projects that reserve 20% of the units for moderate-income homebuyers.

Purpose of This Update

State Housing Element Law requires that Housing Elements throughout the State be updated by the local jurisdiction every five years. Due to State budget constraints related to the development of regional housing needs between 1997 and 2001, the update schedule was extended from 1997 to 2003 for Tulare County. This Element was adopted by the Tulare County Board of Supervisors on December 9, 2003 following receipt of a compliance letter from the HCD on the Draft Housing Element and responses to HCD comment letters. The adopted Element will be forwarded to State HCD in January 2004 in compliance with the mandatory 90-day HCD review period to insure that the comments and responses agreed to by the County and State HCD were incorporated into the adopted Housing Element.

The State requires that Housing Elements be prepared to address the following requirements:

- ◆ To assure that counties and cities recognize their responsibilities in contributing to the attainment of the State housing goal. Local and State governments have a responsibility to use the powers invested in them to facilitate the improvement and development of housing to make adequate provision for housing needs of all economic segments of the community.
- ◆ To recognize that each locality is best capable of determining what efforts are required by it to contribute to the attainment of the State housing goal, provided such a determination is compatible with the State housing goal and regional housing needs. In carrying out this responsibility, each local government also has the responsibility to consider economic, environmental, and fiscal factors and community goals set forth in the general plan and to cooperate with other local governments and the State in addressing regional housing needs.

Previous Housing Elements and Reports

◆ 1971 Housing Element

The first housing report for the Tulare County region “Housing Report, First Year,” was published in August 1971. It was based on a locally performed housing conditions survey, the “Housing Inventory of Tulare County.” The Board of

Supervisors adopted the Housing Report, First Year, on February 13, 1973, as the Housing Element of the Tulare County General Plan.

◆ **1973 Housing Report**

The second housing report, "Housing," was published in March 1973. It was based on data from the 1970 U.S. Census of Population and Housing. This report was not presented for adoption as an element of the General Plan, but was distributed for review to the Board of Supervisors, city councils and planning commissions, as well as to concerned agencies and citizens.

◆ **1975 Housing Element**

Following receipt of the 1974 State Housing Element Guidelines, the third housing report was prepared. Entitled "Housing Element", and published in September 1975, this report summarized the large quantity of data presented by the second housing report and contained housing goals, objectives, and policies that met the requirements of the 1974 Guidelines. It was adopted by the Board of Supervisors as the Housing Element of the Tulare County General Plan on March 23, 1976.

◆ **1979 Housing Element**

In 1979, TCAG completed a Model Housing Element for use by its member jurisdictions (the County of Tulare and the eight incorporated cities) to satisfy requirements of the 1977 Housing Element Guidelines. This document also provided population and housing data and projections for all the cities and the County, which were required to be included in each local housing element.

◆ **1981 Housing Element**

The County of Tulare tailored the Model Housing Element to meet the County's needs. The 1981 Housing Element was adopted by the Board of Supervisors on July 7, 1981. The Housing Element contained programs to implement goals, objectives and policies, and was prepared in compliance with 1977 Housing Element Guidelines.

◆ **1984 Housing Element**

The Board of Supervisors adopted the 1984 Tulare County Housing Element on July 31, 1984. This Housing Element incorporated information from the 1983 Regional Housing Needs Allocation Plan that identified housing needs by income group for each jurisdiction in Tulare County. The Housing Element covered the planning

period 1984 to 1990. Correspondence from HCD in 1990 indicated that household projections from the State Department of Finance (DOF) for 1992 were approximately the same as those contained in the 1984 Housing Element for 1990. As a result, the 1984-1992 new construction need was considered the same as the 1984-1990 need.

◆ 1992 Housing Element

The Board of Supervisors adopted the most recent Tulare County Housing Element in June 1992. The five-year or 1997 housing need projections were provided from the 1991 Tulare County Housing Needs Determination Plan. The 1992 Housing Element is considered by HCD to be valid through 2003.

Housing and Local Government

The housing delivery system is essentially a private system. The production, exchange and management of the housing stock is largely in private hands and influenced by many factors beyond those in which Tulare County government plays a part. This means that the implementation of public policies related to housing goals must rely on the housing industry and community groups interested in housing.

Tulare County, in cooperation with State and federal governments, has the power to influence the housing delivery system. If local housing goals are set, a variety of local public policies can be identified to create conditions under which goals can be met. These policies represent commitments on the part of Tulare County to reach its housing goals.

On the other hand, Tulare County government continuously touches and influences the housing delivery system on a variety of fronts. Virtually every area of local government responsibility (i.e., community facilities, education, traffic, welfare and health protection) has implications for housing development and availability. Policies directly related to land development, property taxation, utility extension and zoning may be the most relevant to housing, but they are only part of the total range of local governmental relationships to housing. The relationship of local housing to any housing unit begins before it is constructed and continues until it is demolished. In the long run, the impact of local government is far greater than that of the developer, financing agency, owner or the Federal government.

Consistency with the General Plan

Tulare County is currently in the process of updating its General Plan to reflect growth and development through to the Year 2025. General Plan Elements to be updated as part of the 2025 General Plan program include the State-mandated land use,

circulation, open space/conservation, and safety and noise elements. The update process is envisioned to be a comprehensive overview of the County's General Plan and will be completed in 2005. Any required changes to the Housing Element, to provide for consistency between this Element and the General Plan, will also be addressed during the General Plan Update process.

Consistency with Other General Plan Elements

Section 65300.5 of the Government Code states that the General Plan shall be comprised of an integrated and internally consistent set of policies. Consistency is important because general plan designations and subsequent zoning must provide for a range of housing types consistent with housing needs.

The following Elements of the Tulare County General Plan contain goals and policies, which are especially pertinent to the location and standards for housing development and rehabilitation:

◆ Urban Boundaries Element

The Urban Boundaries Element, adopted in 1974 and amended in 1983 and 1988, sets forth the policy that urban development in Tulare County shall occur within the eight incorporated cities, Foothill Development Corridors, Urban Development Boundaries of unincorporated communities, and other areas suitable for non-agricultural development, as determined by the procedures set forth in the Rural Valley Lands Plan. An exception procedure also exists that allows urban development to occur in the unincorporated area adjacent to incorporated cities, if certain criteria are met.

The purpose of an Urban Development Boundary is to define twenty-year planning areas around incorporated cities in which the County and cities will coordinate plans, policies and standards related to building construction, subdivision development, land use and zoning regulations, street and highway construction, public utility systems, environmental studies, and other closely related matters affecting the orderly development of urban fringe areas. These boundaries provide an official definition of the interface between future urban and agricultural land uses.

Urban Development Boundaries have also been established around the following unincorporated communities to serve as official urban planning areas: Alpaugh, Culter-Orosi, Ducor, Earlimart, East Orosi, Goshen, Ivanhoe, London, Pixley, Plainview, Poplar-Cotton Center, Richgrove, Strathmore, Terra Bella, Three Rivers, Tipton, Traver, Woodville and Springville. At some future date, Urban Development Boundaries are to be adopted around the communities of Lemon Cove, Sultana and Allensworth.

Urban Area Boundaries, which are larger than Urban Development Boundaries, have also been established around the eight incorporated cities. The Urban Area Boundary is defined as the area where land uses are presumed to have an impact upon an adjacent incorporated city, and within which a city's concerns are to be given serious consideration as part of the land use review process. The Urban Area Boundary is considered the next largest area in which urban development may occur and within which Urban Development Boundaries may ultimately be expanded.

◆ Rural Valley Lands Plan

The Rural Valley Lands Plan applies to the Valley floor area outside the Urban Development Boundaries of unincorporated communities. The Plan establishes a basic County policy that such areas should be zoned for agriculture and restricted to minimum parcel sizes consistent with agricultural uses. However, the Plan also contains policies, which determine the suitability of rural lands for nonagricultural uses. This determination is based upon fifteen factors, which include land capability, existing and surrounding parcel size, suitability for cultivation, surrounding land use, proximity to services and agricultural preserve status, etc.

◆ Community Land Use Plans

Land Use Plans have been prepared for the following unincorporated communities and specifically designate areas suitable for residential development:

Exeter Urban Area	Culter-Orosi
Farmersville Urban area	Earlimart
Lindsay Urban Area	Ivanhoe
Porterville Urban Area	Kennedy Meadows
Tulare Urban Area	Richgrove
Visalia Urban Area	Strathmore
Woodlake Urban Are	Traver
Goshen	West Exeter
Three Rivers	Dinuba Urban Area
Springville	Kings River Plan
Southwest Visalia Land Use Plan	Great Western Divide
East Porterville Land Use Plan	

Planned land uses for the remaining unincorporated communities are contained in the 1966 Tulare County General Plan.

◆ **Foothill Growth Management Plan**

The Foothill Growth Management Plan, adopted in 1981, provides a comprehensive statement of the policies and standards that guide development in the foothill region of Tulare County. The purpose of the Plan is to maintain the viability of foothill agriculture and reduce County expenditures through an efficient service delivery system by directing growth into selected Foothill Development Corridors. Within these corridors, new development must be able to provide its own domestic water, liquid waste disposal and other necessary community services. Since this Plan was adopted, a small number of amendments have been approved. Revisions were primarily made to revise designated land uses identified in the Plan. During preparation of the 2025 Tulare County General Plan, the Foothill Growth Management Plan will be reviewed to ensure that its policies are still effective and workable.

◆ **Water and Liquid Waste Management**

The Water and Liquid Waste Management Plan was adopted as part of the Tulare County's General Plan in 1971. The Plan contains a comprehensive analysis of community sewer and water systems, as well as needs countywide, and sets forth recommendations for improvements to existing systems.

◆ **Tulare County Needs Assessment**

This evaluation of needs for service-related government functions was prepared to provide the County Board of Supervisors with a method to prioritize projects, which compete for limited funds. Categories of the study are limited to those for which outside sources of funding are commonly made available.

◆ **County Circulation Element**

The County General Plan Circulation Element was last adopted in 1964. Amendments to the Circulation Element have been incorporated into all the Community Plans adopted since 1964. The Circulation Element will be updated during development of the 2025 Tulare County General Plan.

◆ **Seismic Safety, Hazardous Waste and Noise Element**

Each of these Elements has been adopted as part of the Tulare County General Plan. This Element will be updated during development of the 2025 Tulare County General Plan.

◆ **Tulare County Comprehensive Airport Land Use Plan**

The Comprehensive Airport Land Use Plan was adopted in 1992. This plan provides for the orderly development of the public use airports in Tulare County. The plan also promotes public health, welfare, and safety through land use planning actions of the Tulare County Airport Land Use Commission.

◆ **Tulare County Regional Housing Needs Determination Plan**

The growth projections applied in the Housing Element Update are based upon growth projections developed by the State of California. The projections were incorporated into the Regional Housing Needs Determination Plan (RHNP) prepared by the TCAG in December 2002. TCAG was responsible for allocating the State's projections to each local jurisdiction within Tulare County including the County unincorporated area, which is reflected in this Housing Element. Tulare County has no control over the countywide population and housing projections provided to TCAG when it prepared the Housing Needs Determination Plan. The projections are in line with anticipated housing construction within the unincorporated area through to the year 2008. Furthermore, the growth anticipated within the TCAG RHNP does not exceed growth that is anticipated within the Community Plans of the Tulare County General Plan.

The assessment was identified in the 2002 Regional Housing Needs Determination Plan, which indicates that "each of the local agencies have planned for further expansion of both residential and employment generating land uses. For purposes of this report, and based upon general plan policies and objectives and designated growth areas reflected in the plans, projected household growth is assumed to reflect a continuation of a reasonably high jobs/housing balance, and the distribution of regional housing need based on projected household growth that will reflect growth in employment opportunities."

According to the 2001 Travel Demand Model Update document, prepared by the Tulare County Association of Governments (TCAG), approximately 120,602 housing units were estimated by the State Department of Finance during preparation of socioeconomic data for the Year 2000 Base Year Model. 150,711 housing units were projected for the Year 2010. Total housing units estimated by the State Department of Finance for 2001 was 120,795. This figure was applied to calculate the growth in units between 2001 and 2008 for purposes of the Tulare County Regional Housing Needs Determination Plan. Total housing units estimated for the Year 2008 from the Regional Housing Needs Determination Plan is 144,412 or less than the figure applied in during development of the Traffic Model for 2010 of 150,711. Based upon the above, the housing unit projections applied to update the

Housing Element and applied to develop the socioeconomic data for the Traffic Model and Air Quality Conformity process, are consistent.

The Housing Needs Determination Plan indicates that "76% of Tulare County's workforce resides within the County". The Model documentation further indicates that the average travel time between home and work was 15.6 minutes, indicating that a majority of trips between home and work within the County are short or local trips (employees residing near their place of work)." In addition, Objective 7 in Chapter VI specifies policies and programs that will promote continued creation of a jobs/housing balance. Further, Program 13.11 includes the need to research smart growth concepts, which will further aid in reducing trips and impacts on the State's transportation system. Finally, the issue of jobs/housing balance will be addressed during update of the County's General Plan.

CHAPTER II HOUSING NEEDS

The housing goals, policies and programs set forth in this Housing Element are based upon a thorough analysis of the factors listed below:

- ◆ Housing and population data
- ◆ Housing market characteristics and forecasts
- ◆ Housing cost factors
- ◆ Constraints to housing productions (both private and governmental)
- ◆ Housing assistance needs of residents of the Tulare County unincorporated area
- ◆ Existing housing programs

Each of the above items is described and discussed in this chapter and the chapters, which follow.

Population Information

Total Population

According to the 2000 Census, the total population of the Tulare County unincorporated area was 141,150, which represented 38.4% of the total County population of 368,021 persons. The unincorporated population in the year 2000 represents a 6% increase over the year 1990, when the unincorporated population was 133,203. The year 2000 population figures for the unincorporated communities in Tulare County are recognized by the Census Bureau as Census Designated Places and are listed in Table 2-1. Table 2-1 also identifies population for the remainder of the unincorporated area and total unincorporated population in Tulare County. Exhibit 2-1 graphically displays the information.

TABLE 2-1

EXISTING POPULATION Cities and Unincorporated Communities in Tulare County, 2000	
Alpaugh CDP	761
Cutler CDP	4,491
Dinuba city	16,844
Ducor CDP	504
Earlimart CDP	6,583
East Orosi CDP	426
East Porterville CDP	6,730
Exeter city	9,168
Farmersville city	8,737
Goshen CDP	2,394
Ivanhoe CDP	4,474
Lemon Cove CDP	298
Lindsay city	10,297
London CDP	1,848
Orosi CDP	7,318
Pixley CDP	2,586
Poplar-Cotton Center CDP	1,496
Porterville city	39,615
Richgrove CDP	2,723
Springville CDP	1,109
Strathmore CDP	2,584
Terra Bella CDP	3,466
Three Rivers CDP	2,248
Tipton CDP	1,790
Traver CDP	732
Tulare city	43,994
Visalia city	91,565
Woodlake city	6,651
Woodville CDP	1,678
Remaining Unincorporated	84,911
Total Unincorporated	141,150
Tulare County (total)	368,021

Source: 2000 U.S. Census

EXHIBIT 2-1
POPULATION BY CITIES AND UNINCORPORATED COMMUNITY
Year 2000



Household Population

Household population is the total population less the number of people living in group quarters (e.g., nursing homes, farm worker housing, jails, etc.). According to the 2000 Census, the unincorporated household population was 139,019, which represents a 6 % increase over the 1990 Census count of 130,866.

Households

Many forces affected the increase in the number of households between 1990 and 2000. Housing production in Tulare County was slow prior to 1996 due to the recession, but picked up in the later years of the decade once the recession ended. In addition, interest rates were considerably lower after 1996. Table 2-2 identifies the 2000 household population and average household size by housing unit type for Tulare County and the unincorporated area.

TABLE 2-2

POPULATION AND AVERAGE HOUSEHOLD SIZE BY HOUSING TYPE Tulare County and Unincorporated Area, 2000		
	Tulare County	Unincorporated Area
Population By Type of Unit		
Single Family Unit, Detached	277,219	106,921
Single Family Unit, Attached	15,635	5,903
2-4 Units	24,203	4,589
5+ Units	18,655	2,483
Mobile Home	25,876	18,930
Group Quarters	6,055	1,930
Other	378	193
Number of Units		
Single Family Unit, Detached	81,755	30,477
Single Family Unit, Attached	4,347	1,321
2-4 Units	7,873	1,185
5+ Units	7,009	803
Mobile Home	9,239	6,052
Other	162	83
Household Size Per Unit		
Single Family Unit, Detached	3.4	3.5
Single Family Unit, Attached	3.6	4.5
2-4 Units	3.1	3.9
5+ Units	2.7	3.1
Mobile Home	2.8	3.1
Other	2.3	2.3
<i>Source: 2000 U.S. Census</i>		

The total number of households in the unincorporated area was 39,921 in the year 2000 according to the U.S. Census. This number represented 36% of total County households.

Household Size

As shown in Table 2-3 and Exhibit 2-2, the household size increased in Tulare County but decreased in the unincorporated area during the period between 1990 and 2000. The increase for all of Tulare County may be attributed to several factors, including doubling-up of families in the urban areas due to housing costs and the migration of population sub-groups with families larger than average household size (e.g. undocumented farmworkers). The decrease in household size in the unincorporated County portion may be attributable to the desire of larger families to be located closer to urban services and the availability of larger units in the urban areas.

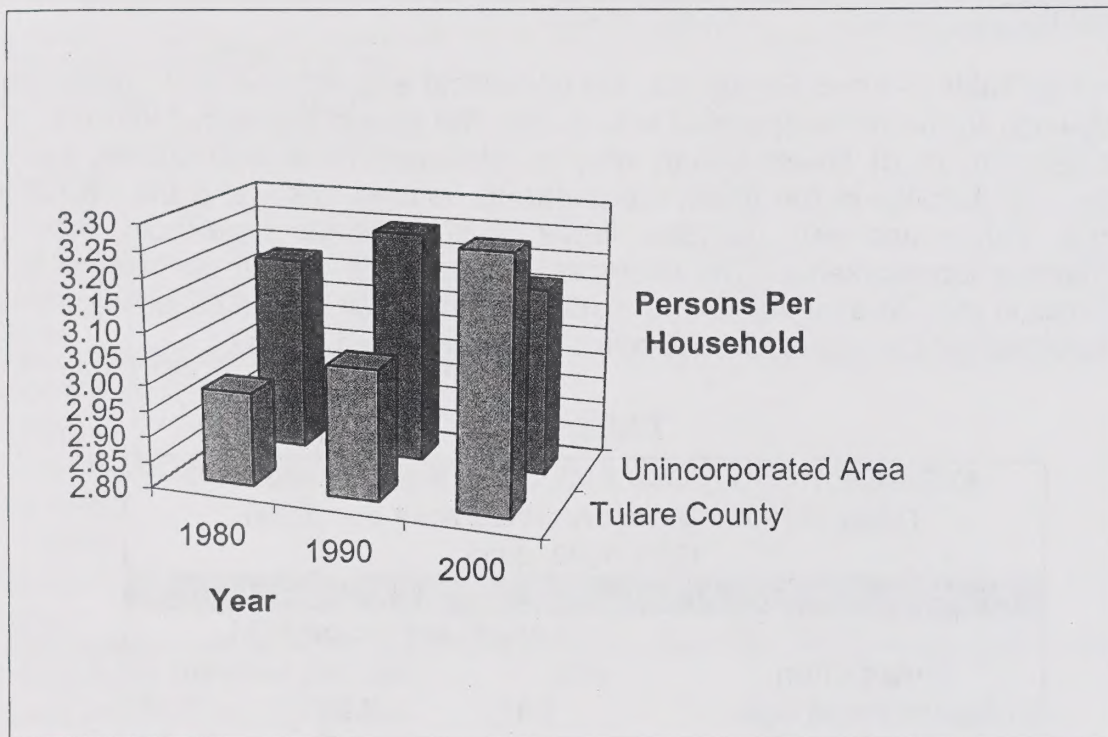
TABLE 2-3

AVERAGE HOUSEHOLD SIZE (Person per Household)			
Tulare County: Unincorporated Area and Total			
1980, 1990, 2000			
Jurisdiction	Persons per Household		
	1980	1990	2000
Unincorporated Area	3.18	3.25	3.16
Tulare County	2.98	3.05	3.28
<i>Source: 1980, 1990, 2000 U.S. Census</i>			

Household Increase Due to New Industry

The advent of new industry in the unincorporated area between the year 2000 and 2010 should not significantly increase household size projections through 2008, even though the County is promoting new and expanded industry through the countywide nonprofit Economic Development Corporation. The County also established an Enterprise Zone in the early 1990's, affecting the unincorporated communities of Cultler-Orosi, Goshen and Traver.

EXHIBIT 2-2
AVERAGE HOUSEHOLD SIZE
Years 1980, 1990 & 2000



It is assumed that most prospective employees of new industry already live in Tulare County. This large existing labor force will help to attract new industry. It is further estimated that 75% of these new households will locate within one of the incorporated cities and fall within the above-moderate income group. These households have been included in the Tulare County household projection for 2008 of 133,057.

Group Quarters Population

Not a component of household increase, but important nonetheless, is that portion of the population in Tulare County classified as "group quarters" population. The difference between total population and household population, i.e. 2,337 persons for the Tulare County unincorporated area in 1990 and 1,930 persons in the year 2000, is composed of the group quarters population. The group quarter's population for the entire County was 6,055 in 2000. Several types of group quarters are located in the unincorporated area, ranging from convents to reformatories. Because of the aging population, of particular concern within this Housing Element are nursing and

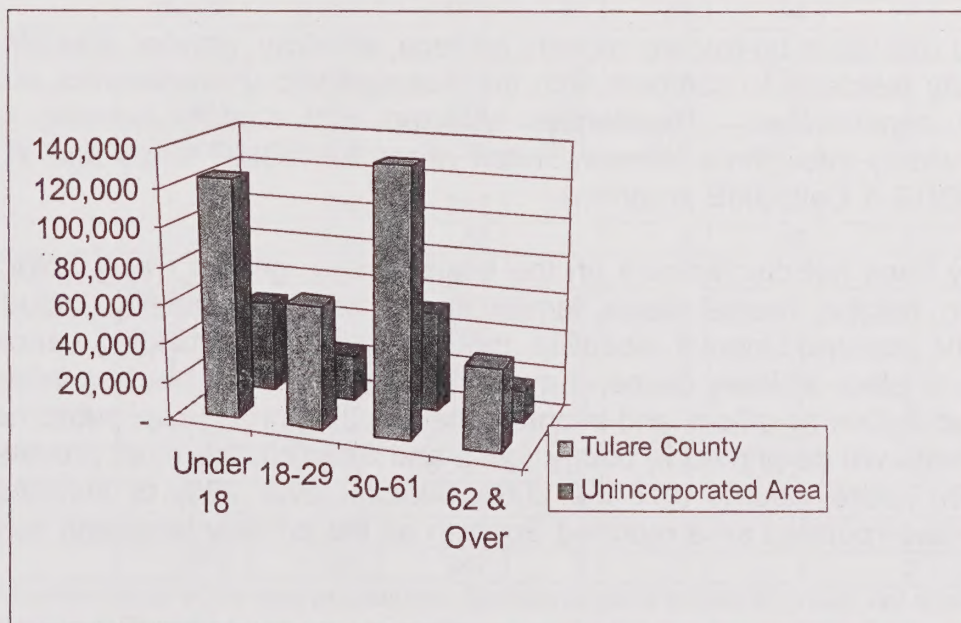
convalescent homes, or other continuous-care facilities, transitional housing facilities, youth homes, and migrant seasonal farm labor housing. Table 2-2 provides an estimate of group quarter's population for Tulare County and for the unincorporated area.

Table 2-4 and Exhibit 2-3 identify population age characteristics for the County and for the unincorporated area in 2000. As identified, 34% of the population is under the age of eighteen (18) and 37% is between the ages of 30 and 61.

TABLE 2-4

POPULATION AGE CHARACTERISTICS Tulare County and Unincorporated Area, 2000									
	Under 18		18-29		30-61		62 & Over		TOTAL
	Population	%	Population	%	Population	%	Population	%	Population %
Tulare County	124,252	34%	63,991	17%	137,250	37%	42,528	12%	368,022 100%
Unincorporated	47,959	34%	24,390	17%	52,420	37%	16,381	12%	141,151 100%

EXHIBIT 2-3
POPULATION AGE CHARACTERISTICS, YEAR 2000



Special Needs Groups

Certain types of households have special housing needs. These households generally consist of low-income owner-occupants or tenants. Households especially susceptible to low-income are generally characterized as ethnic or racial minorities, senior citizens, large families, families living in overcrowded conditions, families with single heads of household, teenage parents, farmworkers, the physically or mentally disabled, households displaced by governmental actions, and the homeless. Information on these special needs groups is provided below.

Minority Households

Minorities have for many years, constituted a disproportionate share of all lower income households. This special needs group is the most likely to suffer from housing discrimination, in spite of laws that prohibit it. Over the years, various programs, such as bilingual education and affirmative action employment procedures, have been established in an attempt to alleviate the low-income status of minorities. Minority households are shown for the year 2000 for the total County, the total unincorporated area, the unincorporated communities, and the remaining unincorporated area in Table 2-5 and Exhibit 2-4.

The County maintains up-to-date records on race, ethnicity, gender, disability and age of community residents to compare with the demographic characteristics of applicants and actual beneficiaries. Residences assisted with County housing grants are distributed widely throughout unincorporated areas for HOME funds and in the target areas for CDBG & CalHOME programs.

The County does not discriminate on the basis of age, gender, race, color, ancestry, nation origin, religion, marital status, familial status, physical disability (including testing AIDs or HIV positive), mental disability, medical condition (including cancer), sexual orientation, or other arbitrary cause. Equal opportunity and fair housing information will be displayed in County offices and informational housing brochures, public notices, and advertisements will be printed in both English and Spanish, the most prevalent second language in Tulare County (per the 2000 Census, over 29% of individuals in the County's unincorporated area reported Spanish as the primary language spoken in the home).

TABLE 2-5

ETHNICITY BY JURISDICTION
Tulare County: Cities, Unincorporated Area and Total

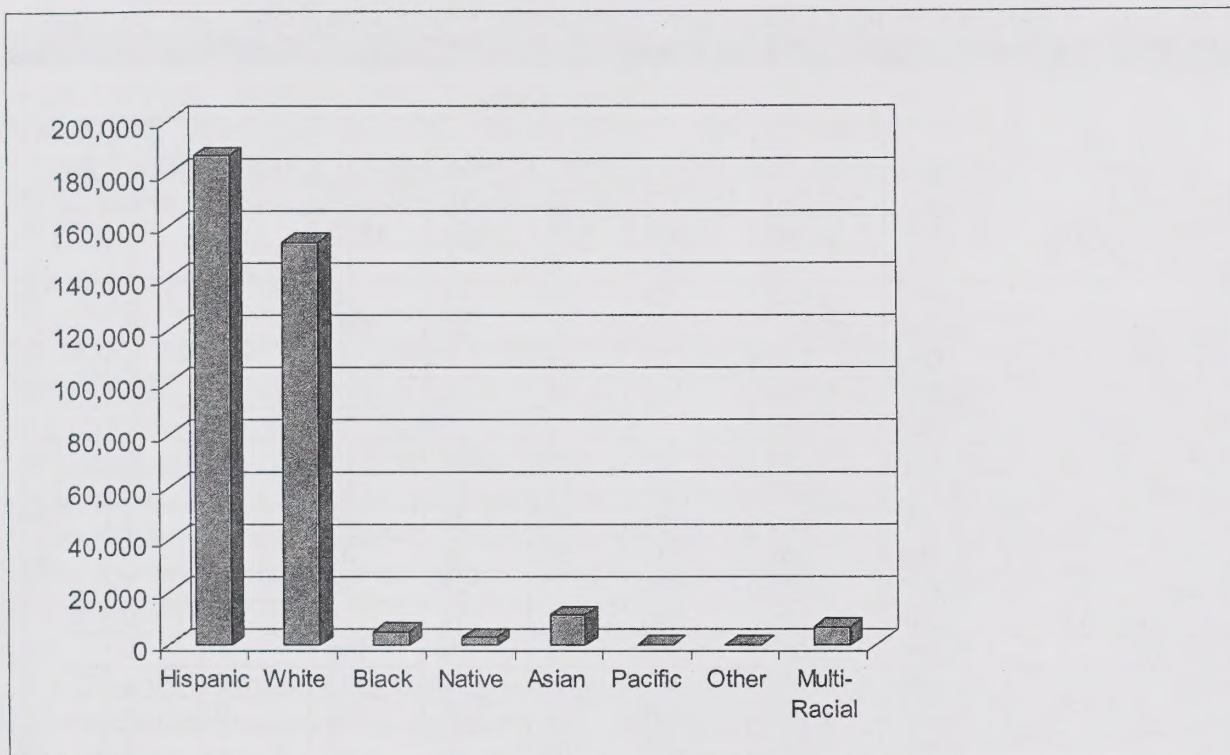
Jurisdiction	RACE								
	Total	Hispanic	White	Black	Native	Asian	Pacific	Other	Multi-Racial
Tulare County	368,021	186,846	153,916	5,122	3,011	11,457	257	444	6,968
Total Rural County	84,839	37009	42922	683	1058	1475	47	117	1606
Alpaugh CDP	761	412	301	2	9	14	0	0	23
Cutler	4,491	4,322	88	11	11	36	0	5	18
Dinuba city	16,844	12,647	3,471	30	82	408	11	16	179
Ducor CDP	504	366	122	1	2	8	0	0	5
Earlimart	6,583	5,760	176	44	13	514	3	10	63
East Orosi CDP	426	369	39	0	1	11	0	0	6
East Porterville	6,730	4,249	2,019	39	108	173	25	5	112
Exeter city	9,168	3,507	5,266	41	83	117	2	21	131
Farmersville city	8,737	6,292	2,194	21	30	90	1	4	105
Goshen	2,394	1,751	511	51	12	33	0	0	36
Ivanhoe	4,474	3,407	976	8	28	26	2	1	26
Lemon Cove CDP	298	36	243	0	11	6	0	0	2
Lindsay city	10,297	8,029	1,956	31	59	104	7	5	106
London	1,848	1,660	168	0	1	13	0	0	6
Orosi	7,318	6,000	468	6	16	729	0	14	85
Pixley	2,586	1,763	627	108	15	5	2	0	66
Porterville city	39,602	19,589	16,649	406	378	1,761	28	24	780
Poplar-Cotton Center	1,496	893	312	0	18	246	6	2	19
Richgrove	2,723	2,493	55	1	5	159	0	0	10
Springville CDP	1,109	62	1,006	1	5	3	0	1	31
Strathmore	2,584	1,771	722	6	14	34	0	4	33
Terra Bella	3,466	2,910	368	6	7	120	0	3	52
Tipton	1,790	1,212	443	3	4	8	0	22	98
Traver CDP	732	552	166	0	12	1	0	0	1
Tulare city	43,994	20,058	19,276	2,051	290	830	42	88	1,359
Visalia city	91,650	32,619	50,263	1,558	675	4,472	79	87	1,806
Woodlake city	6,651	5,575	890	8	37	46	2	1	92
Woodville CDP	1,678	1,385	247	1	11	1	2	2	31
Woodville	1,678	1,385	247	1	11	1	2	2	31

* The five columns of race equal total population. Spanish origin is an ethnic group, not a race; therefore, persons of Spanish origin are included as a portion of one or more of the five races shown.

** Derived by subtracting population by race data for the eight incorporated cities from data for the total County.

Source: 2000 U.S. Census

EXHIBIT 2-4 EXISTING POPULATION BY RACE, 2000



Senior Citizen Households

Of those paying more than they can afford for housing, the struggle of senior citizens, those 65 years old and over, is particularly troublesome. Most are living on incomes that are "fixed", i.e., social security, pensions or public assistance, and thereby find that housing takes an ever-increasing share of their budget. Senior citizens may also be faced with maintaining homes that are too large to meet their current needs, or which they cannot afford to repair and are unable to repair themselves. One advantage many senior citizens have is that they are more likely to own their homes, thus reducing their housing costs to include only insurance, property taxes, utilities and upkeep.

Table 2-6 and Exhibit 2-5 identify the year 2000 household population for all households, all persons in households 65 years or older, and population totals for in family (occupied by at least two persons who are related to each other) and in non-family households. Table 2-7 and Exhibit 2-6 identify year 2000 elderly households (ages 65 and over) in Tulare County and in the unincorporated area.

TABLE 2-6

HOUSEHOLD POPULATION Total Population and Population 65 Years Old and Over Family/Nonfamily Households Tulare County and Unincorporated Area, 2000									
	All Households			In Family Households			In Nonfamily Households		
		65 + Households			65 + Households			65 + Households	
Jurisdiction	Total HH	HH	Percent of Total	Total HH	HH	Percent of Total	Total HH	HH	Percent of Total
Tulare County	110,385	25,222	23%	87,061	16,045	18%	23,324	9,177	39%
Unincorporated	39,936	9,739	24%	32,621	6,765	21%	7,315	2,974	41%
Source: 2000 U.S. Census									

EXHIBIT 2-5
HOUSEHOLD POPULATION, 2000

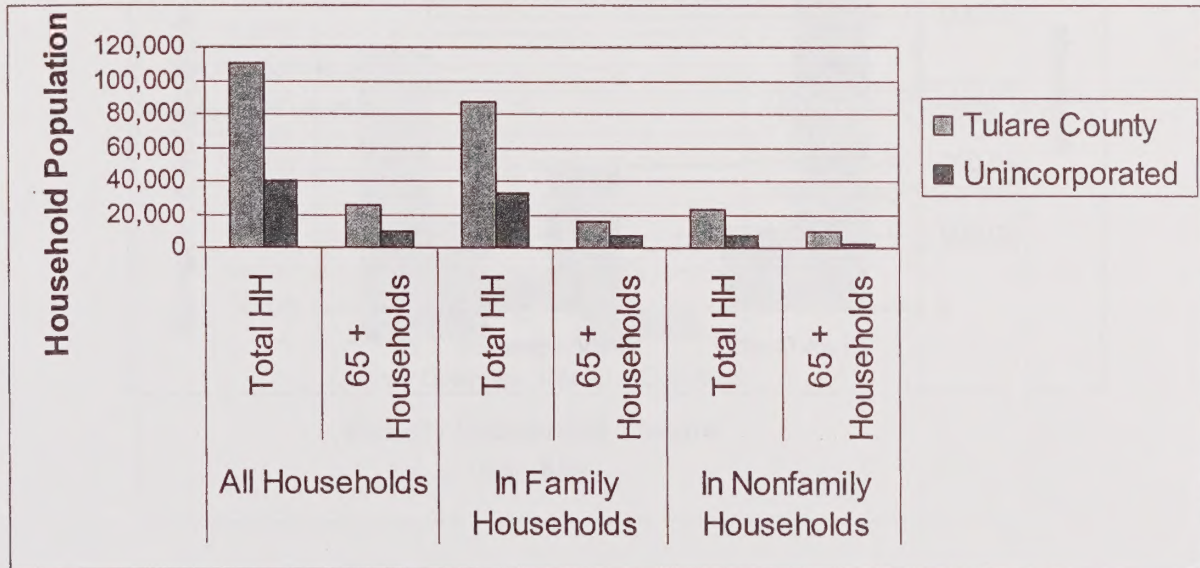


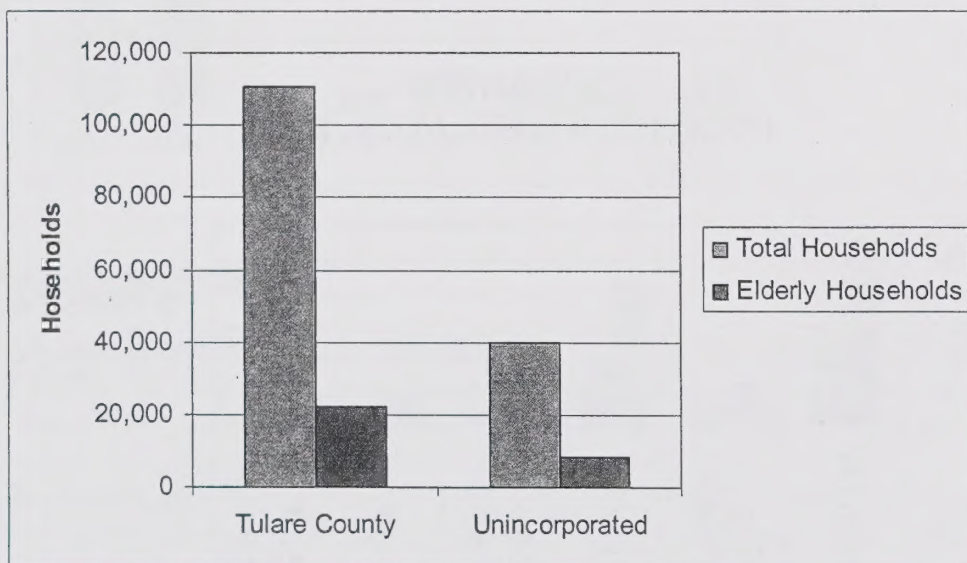
TABLE 2-7

ELDERLY HOUSEHOLDS			
Tulare County and Unincorporated Area, 2000			
	Total Households	Elderly Households	% Elderly
Tulare County	110,385	21,900	19.8%
Unincorporated	39,936	8,397	21.0%

EXHIBIT 2-6

ELDERLY HOUSEHOLDS

Tulare County and Unincorporated Area, 2000

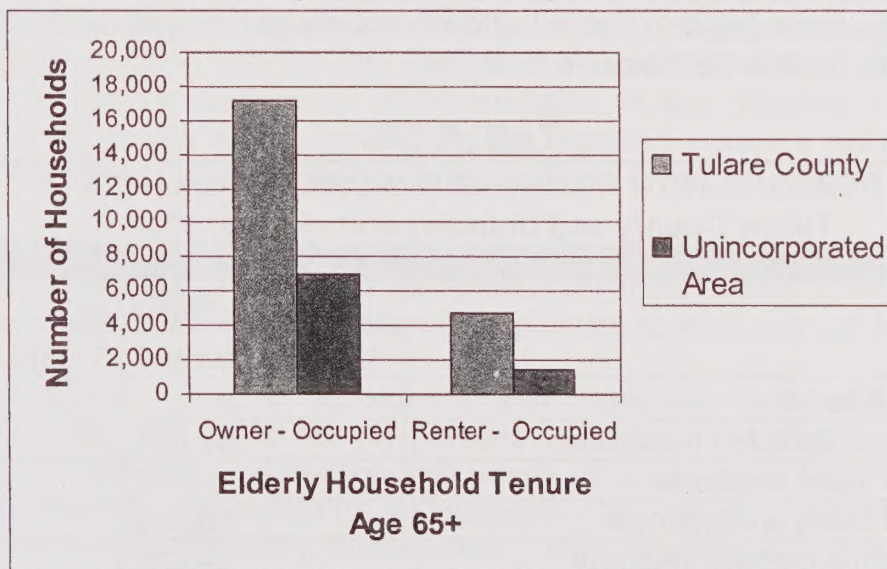


Referencing Table 2-8 and Exhibit 2-7, the 2000 Census indicates that there is a higher percentage of owner-occupied elderly in the unincorporated area versus the County as a whole. The reverse is true for renter-occupied housing.

TABLE 2-8

ELDERLY HOUSEHOLDS BY TENURE, AGE 65+ Tulare County and Unincorporated Area, 2000					
	Owner - Occupied		Renter - Occupied		Total Elderly Households
	Total	%	Total	%	Total
Tulare County	17,188	79%	4,712	22%	21,900
Unincorporated Area	6,998	83%	1,399	17%	8,397

**EXHIBIT 2-7
ELDERLY HOUSEHOLDS BY TENURE, AGE 65+
Tulare County and Unincorporated Area, 2000**



Disabled Households

Households comprised of one or more members who are mentally and physically disabled are given special consideration among the special needs population. Although disabled persons may have housing needs in common with others (i.e., they may be

living in substandard or overcrowded housing units, or they may be included among senior citizens or minorities), they have unique housing needs, which are not shared by others. They need, but may not be able to afford, special facilities, apparatus or access routes necessary to function on their own, instead of being cared for by government agencies. Persons with chronic illnesses, cancer, AIDs or HIV sometimes cannot find affordable healthy housing and, in addition, face housing discrimination.

Disabled individuals have a greater chance of not finding housing units that can reasonably accommodate special facilities. Many residential units have doors that are too narrow for wheelchairs, lack structural bracing for handrails, or be designed as to preclude the installation of access ramps. Disabled individuals may find that electrical switches and outlets are inconveniently located, showers are too small, and counters are too high. Conversion of the conventionally designed housing unit to one that can accommodate the needs of the disabled is expensive. The County's housing rehabilitation program offers deferred payment loans and grants to low income households to improve handicap access.

According to the 2000 U.S. Census, of the 32,473 individuals 16 to 64 years of age in Tulare County with a work disability, 13,412 reside in the unincorporated area. Referencing Table 2-9, approximately 24,587 disabled individuals between the ages of 16 and 64 are employed, 9,996 of which reside in the unincorporated area. The number of disabled individuals listed in Table 2-9 does not equal the total disabilities because some individuals have more than one disability.

TABLE 2-9

PERSONS WITH OR WITHOUT WORK DISABILITIES		
Tulare County and Unincorporated Area, 2000		
	PERSONS	
	Unincorporated	Tulare County
Population 16 to 64		
Total Number of Disabled Individuals	36,081	89,624
Number of those employed	9,996	24,587
Number of those unemployed	10,618	25,953
Number with a mobility disability	14,529	36,376
Number with an employment disability	13,412	32,473
Total Number of those without a disability	63,761	168,623
Population 65 and over		
Total Number of Disabled Individuals	11,597	32,408
Number with a mobility disability	6,686	18,481
<i>Source: 2000 U.S. Census</i>		

People with mental disabilities were once housed by the hundreds of thousands in State mental hospitals. But a "deinstitutionalization" movement began in the 1960s. Now people with mental illness leave acute or chronic care facilities without adequate provisions for their housing or support, and end up sliding into homeless shelters or the criminal justice system. A transitional living center for recently released in-patients opened in Visalia in 2003 and provides a three- to six-month voluntary program with caregivers and classes on everyday skills.

Most Americans with mental retardation or developmental disabilities live on their own, with parents or with siblings. Another significant group lives in group or institutional settings. However, individuals who wish to live independently and families burdened by continued care find affordable housing lacking, public housing limited and social services inadequate.

Implementation of Title 24 of the California Code of Regulations is already in effect for new construction of multiple-family housing developments (with three or more units) to ensure access and adaptability for persons with disabilities. Some physical constraints could be addressed through the zoning ordinance provisions of general exceptions or administrative variances, which allow for a 10% deviation from the Zoning Ordinance requirement. Section 15, page 29, L General Exceptions allows for landings, porches and platforms to extend 6 feet into any front side or rear setback (See Appendix B). At the discretion of the planning director, the County will consider waiving the variance fee, if the constraint does not fall into the general exception above, for persons with a disability, to ensure reasonable accommodation to the disabled person. Also the County will allow the above benefits to the disabled person's family and friends to provide reasonable accommodation for that person.

Should any constraints become known to the County, the County working through the Zoning Administrator, will contact the Center for Independent Living, the Kings and Tulare Area Agency on Aging, or other ADA provider to work through the constraints.

The County does allow, in accordance with State law, the development of group quarters housing for up to six (6) persons by right. The County has never been requested to review an application that would allow for more than 6 persons. If the County received an application for a Conditional Use Permit, a public hearing would be required before the Planning Commission. Most group quarters housing is located within the cities where medical facilities are more readily available. The County does allow development with more than 6 persons per acre in R-2 and R-3 Zone Districts by right.

Procedures implemented by the County during the review and approval of housing developments for the disabled are the same as the procedures implemented for other types of housing developments.

The County requires all parking standards for new residential development to include provision for handicapped parking in accordance with Title 24.

Recognizing the need to formally identify procedures that would reduce constraints for disabled persons seeking housing or improved housing in Tulare County, Program 16.12 in Chapter VI has been added. The Program states that the County will conduct an analysis of governmental constraints affecting access to housing and supportive services and affordability of housing for persons with disabilities based upon guidelines prepared by State HCD. Should any constraints be identified, the County will adopt appropriate programs that will mitigate the impediments to housing for persons with disabilities. The analysis will be completed by December 2004 and will be conducted by the RMA.

Further, Program 16.13 has been revised in Chapter VI to read "Research feasibility of adopting a reasonable accommodation ordinance, to include and not be limited to wheelchair ramps, writing exceptions into ordinance. Until such time as the feasibility analysis is complete, require a disabled ADA compliance checklist to be developed as part of the Site Plan Review Committee process for housing projects."

Displaced Households

Households that are forced to relocate due to public domain activities (redevelopment projects, street widening or construction of new street, code enforcement programs and flood control projects) are placed in circumstances that are unique because they were forced through actions taken by a local government to look for other accommodations. If these displaced residents or households are very low- to moderate-income households, they may experience great difficulty in locating suitable, affordable replacement housing. Fair prices from government for property of displaced homeowners are no guarantee that they will be able to purchase suitable, affordable housing elsewhere. Renters who are displaced may also not be able to find suitable, affordable housing elsewhere.

Overcrowded Households

Another special needs group for affordable housing is those persons living in overcrowded conditions. An overcrowded household is defined by the Bureau of the Census as 1.01 or more persons per room (certain rooms should not be counted in the determination of whether or not a housing unit is overcrowded and include bathrooms, kitchens, foyers, utility rooms, unfinished attics or basements, etc.). As long as the number of persons in a household does not exceed the number of rooms in the housing unit, no problem exists. Some housing units are overcrowded because the families occupying them are large (five or more persons).

Other housing units may shelter smaller-sized families, but may be overcrowded due to a small number of rooms. Still another reason that a unit may be overcrowded is that more than one family is being sheltered.

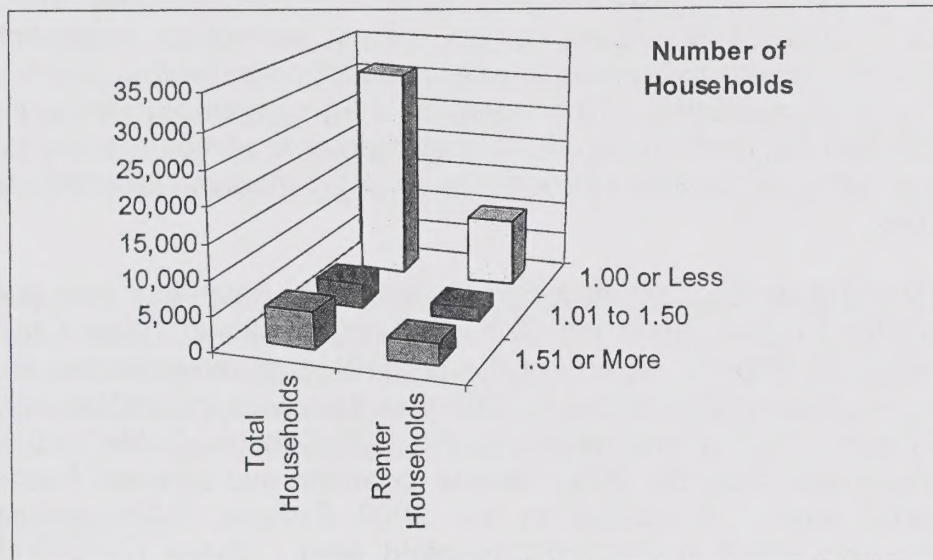
Overcrowding has a direct relationship in determining whether or not a housing unit is suitable. A housing unit may be suitable in all other respects, but because an overcrowded household is occupying the unit, it cannot be considered suitable. Overcrowding contributes to premature wear and tear on a dwelling and a greater need for repairs and rehabilitation. The condition is an important factor considered in competing for housing grant funds. Additional bedrooms and bathrooms may be added on to a home being rehabilitated through the County's housing programs under certain circumstances.

The majority of Tulare County's occupied housing units have less than one person per room. The 2000 Census shows that 22% of all households in Tulare County are living in overcrowded conditions. As one of the ten (10) most overcrowded counties in the State, there was more overcrowding in 2000 than there was in 1990 when overcrowding was estimated at 17% of all households by the 1990 Census. Table 2-10 and Exhibit 2-8 contain information from the 2000 Census regarding overcrowded households in the unincorporated area. According to the 2000 Census, 8,923 households were considered overcrowded in the unincorporated area. These comprised 22% of all households and a 27% increase over 1990 Census figures. Referencing Table 2-10, severe overcrowding (more than 1.51 persons per room) occurs in 17% of all households within the unincorporated area.

TABLE 2-10

PERSONS PER ROOM		
Unincorporated Area, 2000		
	Total Households	Renter Households
1.00 or Less	30,998	9,847
1.01 to 1.50	3,733	1,937
1.51 or More	5,190	3,045
Total Overcrowded	8,923	4,982
<i>Source: 2000 U.S. Census</i>		

**EXHIBIT 2-8
PERSONS PER ROOM
Tulare County Unincorporated, 2000**



Large Families

A large family household consists of five or more family members. Large families often experience special housing problems because of their family size and a small supply of large homes for sale or rent. These families are the most likely to live in overcrowded conditions and fall within the low-income tax bracket. Comparing the number of housing units with 4 or more bedrooms from the 2000 Census (12,638) within the County to the number of large families within the County (13,198) indicates that there are more large families than housing units to adequately house them.

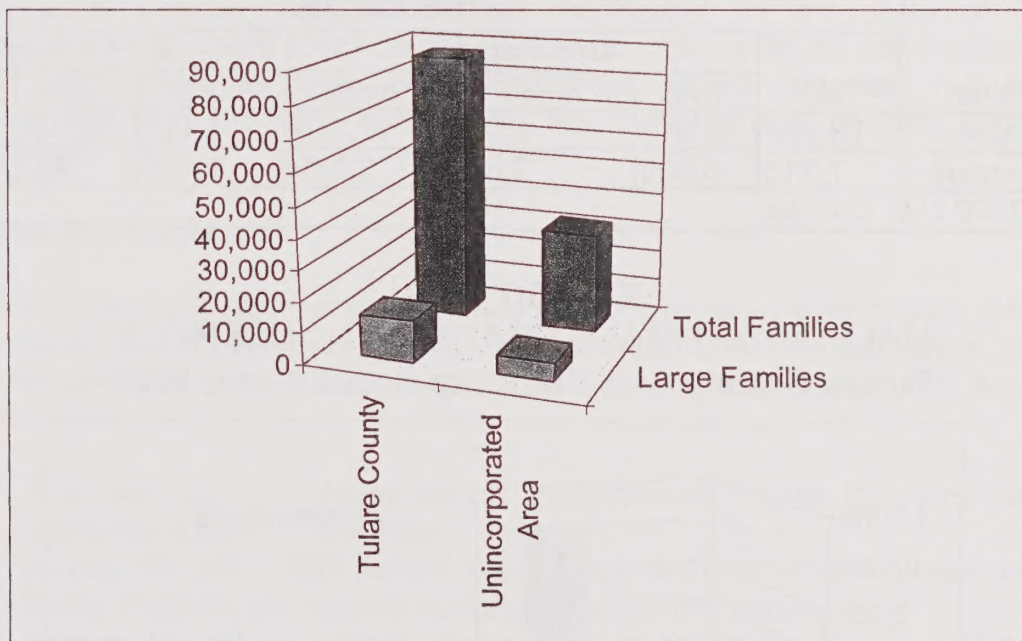
In addition, families with large numbers of children are likely to experience discrimination when attempting to rent a house or apartment. Table 2-11 and Exhibit 2-9 identify the number of large families for the unincorporated area and for Tulare County. The unincorporated area has a higher percentage of large families than for the County as a whole.

TABLE 2-11

LARGE FAMILIES			
Tulare County and Unincorporated Area, 2000			
	Total Families	Large Families	% of Total Families
Tulare County	87,061	13,198	14.7%
Unincorporated Area	32,621	6,042	18.5%

Source: 2000 U.S. Census

EXHIBIT 2-9
LARGE FAMILIES
Tulare County Unincorporated Area



Single Heads of Household

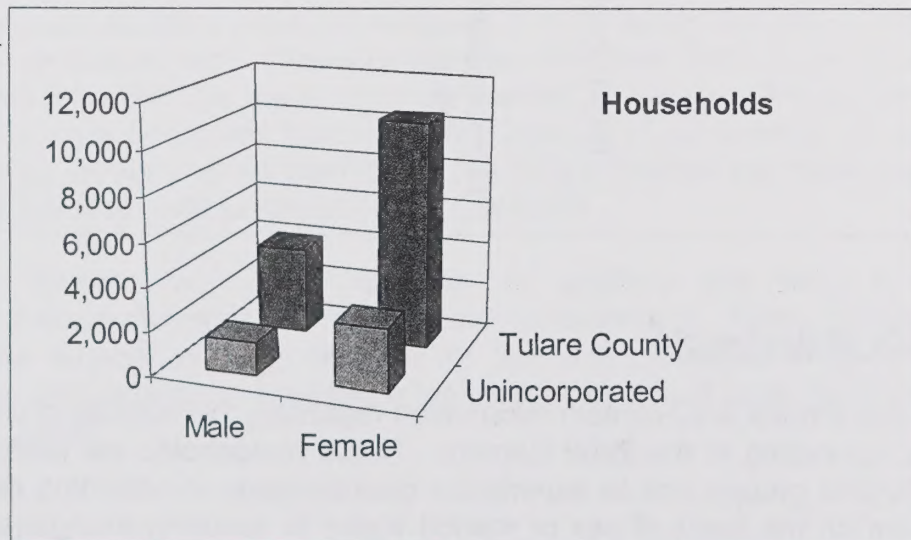
Table 2-12 and Exhibit 2-10 contain information regarding the number of single heads of households, according to the 2000 Census. These households are likely to fall within the lower income groups and to experience discrimination in obtaining rental housing. Discrimination on the basis of sex or marital status in securing mortgages has largely been eliminated due to enactment of legislation that prohibits this practice.

TABLE 2-12

HOUSEHOLDS BY TYPE AND BY SEX OF HOUSEHOLDER							
Tulare County Unincorporated Area, 2000							
Jurisdiction	HOUSEHOLDS						
	Total	FAMILIES					
		Total	Married Couple	Other Family			
				Total	Male Head	Female Head	
Tulare County	110,385	87,061	64,123	14,449	4,023	10,426	
Unincorporated	39,936	32,621	25,033	4,307	1,459	2,848	
Jurisdiction	NONFAMILIES						
	Total	One Person			2 + Persons		
		Total	Male	Female	Total	Male	Female
Tulare County	23,324	18,913	7,582	11,331	4,411	2,700	1,711
Unincorporated	7,315	5,900	2,811	3,089	1,415	932	483

Source: 2000 U.S. Census

EXHIBIT 2-10
MALE AND FEMALE HEADS OF HOUSEHOLD
Tulare County and Unincorporated Area, 2000



Farmworkers

California is the nation's largest agricultural state, producing more than 250 different crops valued at nearly \$25 billion. Tulare County farmers have been changing their crops to respond to consumer demand, producing more fresh vegetables, fruits and nuts. These high value-added crops require more labor. Also, there has been an ongoing change from many smaller farms to fewer larger farms with the ability to provide extended periods of work for farmworkers. These trends along with others mean that more farmworkers than ever are working in California and many are working for longer periods in one area, some as residents of that area. Tulare County is concerned about the issue of farmworker housing and about the issue of affordable housing in general.

For purposes of this report, farmworkers are defined as regular and seasonally hired workers. Complete data on the specific housing needs of farmworkers is not available from the 2000 Census, and the surveys conducted by the State of California Employment Development Department (EDD) do not cover all farmworkers. The following information has been referenced from several sources. A review of farmworker statistics, housing constraints, and funding and housing programs is provided below.

◆ Farmworker Statistics

- The California Department of Housing and Community Development (State HCD) prepared the "California Housing Markets 1990-1997" report, which addresses farmworker housing as a key issue in the State's housing economy. According to the report:
 - The San Joaquin Valley region accounted for more than one-half of the agricultural labor in the State
 - During the 1990-1997 period, the average farmworker was a relatively young, male, Hispanic and legally working in the United States
 - Across the State, trends changed from the early 1990s to later 1990s including the tendency for seasonal farmworkers to be single male households
 - Over half of farmworkers lived in overcrowded conditions, with 31.4% of those in severely overcrowded housing units
- While current information on farmworkers is limited, data from the Census, from EDD and the Migrant Health Program, and information from the March 1997 Current Population Survey, reveals the following:

- Farmworkers number 342,102 in California as of March 1997, are overwhelmingly Latinos (78 percent) and are mostly males (72 percent)
- Approximately 55 percent of the State's agricultural workers were employed in the San Joaquin Valley
- Farmworkers have the lowest income of any occupation surveyed by the Census Bureau and the highest poverty rate of any surveyed occupation
- Farmworkers have the lowest educational attainments and are second from the lowest, after the private housekeeper occupation, in home ownership
- Farmworkers have one of the lowest rates of health insurance coverage and are overwhelmingly non-citizens (including legal residents, workers with a permit, or undocumented)
- Farmworker cities in rural California are growing twice as fast as the state's population, as newly legalized farm workers bring their families to the US
- Many of these "overgrown labor camps" are over 50 percent Latino, and some are over 90 percent
- Many San Joaquin Valley towns have become farmworker service centers, with local residents, for a fee, providing everything from housing and meals to forged work documents, rides to and from fields, and check cashing services. Migrants rely heavily on friends, relatives or labor contractors to arrange housing
- Farmworkers have the lowest family income of any occupation surveyed by the Census Bureau and are second from the lowest, after the private housekeeper occupation, in home ownership
- The Migrant Health Program periodically seeks to obtain updated information about migrant and seasonal farmworkers, including where they are working and living and what crops are being harvested, in order to more appropriately target limited resources to areas of greatest migrant and seasonal farmworker need
- The number of employed farmworkers in the County varies from month to month. According to EDD, the number of farmworkers is greatest in August and least in March
- EDD estimates there were approximately 171,400 workers employed in the County in 2000. This number includes farmers and members of their families who were unpaid-regular and seasonal hired domestic workers, and agricultural workers brought to California under contract from outside the United States
- Total farm employment in 2000, according to EDD is 34,900. Farm employment in 1990 was 29,500. Table 2-13 shows the number of people employed in farming and fishing for Tulare County and jurisdictions

TABLE 2-13

PEOPLE WITH A FARMING OCCUPATION BY CDP in 2000			
Jurisdiction	Number in Agriculture	Percent In Agriculture	Total Number of Occupations
Alpaugh CDP	52	31%	168
Cutler CDP	621	49%	1,271
City of Dinuba	1,136	19%	5,859
Ducor CDP	71	34%	206
Earlimart CDP	781	51%	1,539
East Orosi CDP	22	20%	109
East Porterville CDP	581	25%	2,362
City of Exeter	274	8%	3,563
City of Farmersville	556	20%	2,824
Goshen CDP	146	19%	758
Ivanhoe CDP	426	31%	1,396
Lemon Cove CDP	13	10%	130
City of Lindsay	1,152	35%	3,317
London CDP	377	66%	569
Orosi CDP	846	38%	2,224
Pixley CDP	284	39%	730
Poplar-Cotton Center CDP	144	32%	446
City of Porterville	1,608	11%	14,152
Richgrove CDP	356	54%	656
Springville CDP	14	4%	379
Strathmore CDP	176	23%	780
Terra Bella CDP	440	48%	913
Three Rivers CDP	14	2%	924
Tipton CDP	211	36%	591
Traver CDP	66	35%	187
City of Tulare	1,102	7%	15,882
City of Visalia	1,461	4%	38,401
City of Woodlake	657	32%	2,051
Woodville CDP	261	47%	556
Unincorporated Total	12,566	26%	48,045
Tulare County	20,512	15%	134,094

Source: 2000 U.S. Census

- According to EDD, in Tulare County, the 2000 level of agriculture employment was about 18% higher than in 1990, which was the year last estimated as part of the 1991 Regional Housing Needs Determination Study
- Regular and Seasonal Hired Domestic Workers: The total number of Regular and Seasonal Hired Domestic Workers in the County in 2000 has not been estimated

- Additional statistics have been provided by State HCD, the National Agricultural Workers' Survey, and the Housing Assistance Council (HAC) study of housing for farmworker in 2000, and include the following:
- There is increased employment of farmworkers
 - Employment in California agriculture increased 22 percent between 1985 and 2000, to a peak 486,000 in September 2000, and an annual average 408,000
 - Most farmworkers are employed seasonally for one farm employer
 - In 1997, the Census of Agriculture reported that 66 percent of the 549,000 workers hired by California farm operators were employed less than 150 days on the responding farm
 - Their median age at first entry was 19-20 and the median age of workers interviewed in California was 30-33
 - A rising percentage of farmworkers shuttle between homes outside the US and US farm jobs. In California, the percentage of "international shuttle migrants" rose from 27 to 46 percent in the 1990s
 - The median monthly income for farmworker respondents was \$860, and their median housing cost was \$345 (40 percent of income)
 - In the western states, 43 percent of workers interviewed had housing units that cost more than 30 percent of their income
 - The mean length of stay in the housing units in which workers were interviewed was 7.6 months
 - California farmworkers are much more likely to rent housing from a non-employer
 - Only 4 percent of California workers, versus 37 percent of non-California workers, lived in employer-provided housing
 - Over 90 percent of California and non-California farmworkers lived in conventional housing, including houses, apartments, and mobile homes or trailers while doing their current farm job
 - Most farmworkers traveled to their current job by driving or riding in a car pool, 71-72 percent in California and outside California
 - 43 percent of the California housing units were overcrowded, as were 90 percent of the units with children
 - 80 percent plus of the substandard housing units had children

For the County as a whole, the statistics described above suggest there will be an increase in the number of seasonal farmworker households. These highlights are more likely to reflect the characteristics of agricultural workers who spend most of the year in the United States. However, every year around April waves of seasonal agricultural waves of seasonal agricultural workers come to California.

◆ Farmworker Housing Constraints

Because farmworkers of low income and their employment status is frequently tenuous, they are often unable to compete for housing on the open market. In addition, because many share a culture and a language that is different from the communities in which they work, they often experience discrimination in the housing market.

Even among the broader farmworker population, there are sub-populations, each with its own housing problems. Regular or year-round farmworkers are defined by EDD as those working 150 or more days for the same employer. Regular farmworkers comprise about 25% of the County's farmworker population. Their incomes are usually higher than seasonal workers (who work less than 150 days annually for the same employer, although most are unable to obtain affordable ownership or standard rental housing).

Seasonal and migrant seasonal workers represent about three quarters of the County's farmworker population. Seasonal workers are usually local residents who depend heavily on finding seasonal employment in the agriculture industry to support their families. Migrant seasonal workers are those who travel more than 50 miles across County lines to obtain agricultural employment. The housing needs of the latter category are most severe because of the constant travel. These workers often take what is available in terms of housing, which includes living in substandard, overcrowded conditions.

Three main factors lie behind the worsening housing shortage for farmworkers: more farm workers, less farmer provided housing, and often unauthorized illegal status. A shrinking supply with an increasing demand has led to higher prices in rural areas, resulting in housing costs that are high relative to farmworker income. This led to significant overpaying for housing and overcrowding of housing. The farm work force is changing to include more solo male and unauthorized migrants. Since most farmers do not provide housing, and many publicly owned or managed facilities are restricted to families, the newest and neediest workers usually seek housing in regular rental markets, where several share a housing unit, and some sleep in cars and other unconventional places.

According to State HCD, farmworkers and their families face unique and often extreme difficulty finding affordable housing due to their:

- Personal characteristics, such as limited English and/or often unauthorized legal status
- Low earnings and incomes

- Households characterized by unrelated males sharing housing or large family groups seeking rental housing

In addition, according to State HCD, California farm employers tend not to provide housing, and deep subsidies are needed to enable farmworkers and their families to rent or buy housing in regular housing markets. Finally, there are obstacles to obtaining and using public funds for farmworker housing including the following:

- Difficulty in identifying and obtaining sites for farmworker housing that are politically as well as economically feasible
- Plans by local agencies and non-profits for subsidized housing for farmworkers are often challenged by neighbors
- Links between providers/developers of housing for farmworkers are not coordinated with farmers or farmworker labor contractors
- The tendency of workers to shift between farm and non-farm
- Seasonal farm work for many workers is a 10-15 year job, not a career, can complicate the provision of subsidized housing
- Many farmworkers have "home bases" in Mexico

◆ Farmworker Housing Programs and Funding

As is the case for most low-income households, the housing needs of farmworkers far exceed the government's ability to provide assistance. The amount of farmworker housing registered with the State has declined dramatically in the last two decades. In 1998, according to State HCD, there were only 500 farm labor camps registered. The housing shortage was so severe that many workers were found packed 10 or 12 into trailers and sleeping in garages, tool sheds, caves, fields and parking lots. The US Department of Agriculture (USDA) California Rural Development Office is the most important provider of permanent housing for farmworkers, but USDA assistance suffers from its own income qualifying standards and a shortage of staff and funds. Other providers of farmworker housing are State HCD and the Office of Migrant Services of EDD (which operated migrant centers throughout the State).

According to State HCD:

- HCD, USDA, and HUD encourage the provision of farmworker housing through a variety of programs that make loans and grants to employers, public agencies, and non-profit organizations to build, rehabilitate, and operate housing for farmworkers
- HCD's Office of Migrant Services operates 2,000+ rental units for migrant families in 26 centers that are open six months a year

- HCD also makes loans and grants to local agencies to build or renovate housing for farmworkers, and used \$46 million for construction and rehabilitation of farmworker housing in Fiscal Year 2000-01, ten times the usual \$2 to \$4 million

State HCD has also indicated that one promising way to encourage farm employers to construct housing is to develop and have available "pre-approved" farmworker housing plans that enable farmers and nonprofits to build farmworker housing with minimal governmental review.

Southeast Asian Households

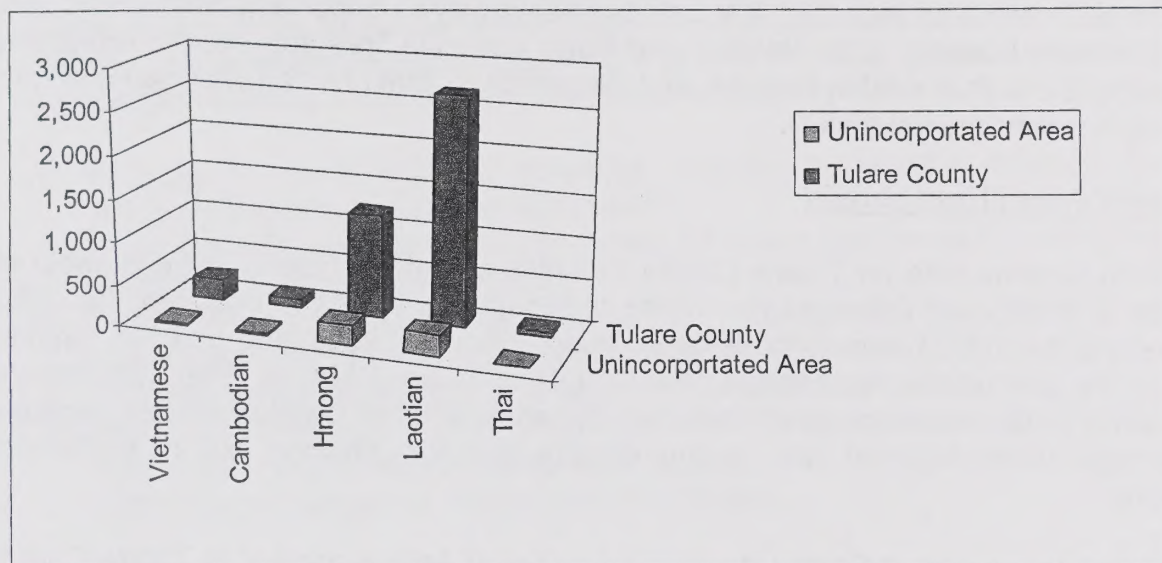
Year 2000 Census data for Tulare County indicates a slight decrease in the number of persons of Southeast Asian origin. After a substantial increase between the 1980 Census and the 1990 Census, totals have dropped from an estimated 5,189 in 1990 to 4,312 in the year 2000. According to the County of Tulare RMA, in 1999, 200 Hmong families in Visalia relocated out of State with the assistance of CalWorks funds because of the high unemployment rate in the County and the phasing out of welfare in California.

The 2000 Census data indicated the 4,312 Southeast Asians resided in Tulare County in 2000. Of these, about 1,224 are Hmong, 2,681 Laotian, 109 Cambodians, 236 are Vietnamese, and 62 are Thai. According to the 2000 U.S. Census, 87 percent or 3,751 live within the incorporated cities of Tulare County. In contrast, only 13 percent of the Southeast Asian population, or 561 persons lived in the unincorporated area (reference Table 2-14 and Exhibit 2-11). According to the Tulare County Department of Social Services, the average Southeast Asian family is made up of five (5) or six (6) persons and may have eight (8) or more persons.

TABLE 2-14

SOUTHEAST ASIAN POPULATION Tulare County Unincorporated Area, 2000		
	Tulare County	Unincorporated Area
Vietnamese	236	25
Cambodian	109	28
Hmong	1,224	240
Laotian	2,681	254
Thai	62	14
Total	4,312	561
<i>Source: 2000 U.S. Census</i>		

EXHIBIT 2-11
SOUTHEAST ASIAN POPULATION
Tulare County and Unincorporated Area, 2000



Virtually all of the Southeast Asian population falls into the lower income category and are in need of housing assistance. In the short-term, they are being assisted through the HUD Section 8 rental assistance program. It is staff's understanding that the group is ineligible for single-family home ownership housing programs because of their alien and refugee status and because of their previous secondary relocation into Tulare County. It should be noted that CHFA requires first time home buyers (FTHB) to be citizens, a national of the United States, or a qualified alien as defined by the federal Personal Responsibility & Work Opportunity Reconciliation Act of 1996). If FTHBs receive CHFA financing, they will not qualify if they are not citizens or a qualified national.

The southeastern Asian population will continue to shrink countywide in the coming decade. Net migration for this population has been negative in many years and barring new upheaval in that part of the world, immigration will not increase enough to boost the population. Anecdotal evidence indicates the existing population has been shifting from Central California towards the Upper Midwest.

Households with Emergency Needs

Information on the homeless population prove that those without shelter represent a broad cross-section of the American society—the young and old, single people and families, the disabled mentally and physically), the able-bodied, battered women,

women and children fleeing abuse, runaways and homeless youth, youth leaving foster care, recovering substance abusers, and ex-offenders. In the 1950s and 1960s, the majority of homeless persons were typical "skid row" residents, i.e., male, and addicted to alcohol or drugs. Beginning in the early 1970s and accelerating by the end of the decade, the homeless population began to diversify. Perhaps the most visible change in the homeless population in the last decade was the drastic increase in the number of women, children, and young men. A widely reported estimate of the average age of a homeless person is thirty-four (34) years. (Source: Adapted from Nora Richter Greer, "Homelessness: Demographics, Causes, and Cures in a Nutshell," Urban Land, 1986). Besides being diverse demographically, the homeless population varies significantly in the duration of homelessness as noted below:

- ◆ The chronic, who are homeless for more than thirty (30) continuous days (most chronic homeless persons have been in that state for months or years)
- ◆ The episodic, who tend to alternate for varying periods of time between being and not being domiciled
- ◆ The situation, for which homelessness is the temporary result of an acute life crisis

For the chronically homeless, mental illness, substance addiction and physical disabilities often create additional barriers to stability and a new life off of the streets. Supportive housing is affordable housing linked to accessible mental health, substance addiction, employment, and other support services. Supportive housing provides people who are homeless for the long term with a way out of expensive emergency public services and back into their own homes and communities. A study of tenants of California's Health Housing & Integrated Services network found that 81% remained housed for at least a year and experienced:

- ◆ 58% decrease in emergency room visits
- ◆ 58% drop in number of inpatient days
- ◆ 100% drop in use of residential mental health facilities

The County does allow, in accordance with State law, the development of group quarters housing for up to six (6) persons, by right. The County has never been requested to review an application that would allow for more than 6 persons. If the County received an application for a Conditional Use Permit, a public hearing would be required before the Planning Commission. Most group quarters housing is located within the cities where medical facilities are more readily available. The County does allow housing developments with more than 6 persons per acre in R-2 and R-3 Zone Districts by right.

The following is a brief inventory of emergency and transitional shelter services currently available in Tulare County. It should be understood that emergency housing is housing or shelter that exists for use by individuals and families in the community who,

in addition to lacking adequate financial resources, are without shelter due to a crisis from a legal, personal or natural disaster. This type of housing is intended as temporary refuge until a permanent solution can be developed. Therefore, emergency housing does not include seasonal employees such as migrant farmworkers who traditionally follow their jobs to various locations.

According to the Tulare County Department of Social Services, the total cost of the Tulare County's Homeless Assistance Program during Fiscal Year 2000/2001 was \$303,101.96. In 2000, there were 563 applications filed by the homeless seeking shelter. Many of the homeless shelter providers are members of the Kings/Tulare Continuum of Care Coalition.

It should be noted that some of the distinctions regarding the homeless population might be arbitrary since an unknown percentage of the homeless may fit into one or more categories. Further, some homeless persons do not receive assistance from any homeless facilities or service providers. While it is important to know the quantified need for emergency shelter for the homeless, it is also important to recognize that the need is growing.

The County has received the survey results provided by the Kings/Tulare Continuum of Care and dated June 6, 2003 (reference Appendix C). The Kings/Tulare Continuum of Care is a non-profit organization 797 respondents completed the survey. Major findings included the following:

- ◆ 77% of the respondents were between the ages of 20 and 49
- ◆ 31% were White and 57% were Hispanic
- ◆ 58% spoke English and 37% spoke Spanish
- ◆ 47% completed high school and 13% attended college
- ◆ 48% have been homeless less than 1 year and 13% have been homeless for more than 3 years
- ◆ 20% are employed
- ◆ 25% have been unemployed for more than 5 years
- ◆ 7% are Veterans
- ◆ 30% are Ex-Offenders
- ◆ 17% are domestic violence victims
- ◆ 22% currently reside at an emergency shelter or in transitional housing and 5% live in their car
- ◆ 58% previously resided in Tulare County and 9% resided outside of the United States
- ◆ 28% are homeless with a partner or spouse

- ◆ 296 children reside with the respondents, 120 with relatives, 5 are with CPS, 10 are in foster care, and 13 are residing at other locations
- ◆ 35% are disabled, with 41% of those having physical disabilities, 26% having mental disabilities, and 32% having substance abuse problems
- ◆ 59% need a 2 or 3 room home/apartment
- ◆ 62% indicated that they need dental care, 60% need housing assistance, and 57% need health care
- ◆ 50% indicated they were unable to access housing assistance programs, 42% dental care, 39% health care, and 38% transportation services

Additional information regarding the homeless in Tulare County is provided below.

◆ **Battered Women's Shelter**

This agency, primarily funded by the Tulare County Social Services Department, provides an estimated 5,500 bed nights per year for women and children only. It is estimated that these bed nights are provided for 375-400 individuals in a given year.

◆ **United Way**

United Way provides referrals for a variety of needs.

◆ **Catholic Social Services**

Catholic Social Services has a housing shelter that will house up to 38 people, or five to eight families. Their kitchen normally serves 200 meals/day (500 meals/day during the colder months).

◆ **Proteus Service & Employment**

Operating in Tulare County, Proteus Agency receives CDBG and Department of Labor funding for rent subsidies based on need. This is a onetime option for people that need temporary assistance.

◆ **Tulare County Department Of Social Services**

The Tulare County Department of Social Services indicates that in the year 2000, there were 563 applications filed by the homeless seeking shelter.

◆ **The Visalia Emergency Aid Council**

This agency provides emergency shelter for homeless persons in motel rooms for one to three (1-3) nights, depending on the severity of the case. It is estimated that this service is provided to twelve to fifteen (12-15) adults and children per month.

◆ **Visalia Rescue Mission**

This privately funded, non-profit organization can house up to thirty (30) men for program participants, ten (10) women for program participants, seven (7) sober living beds, and seventy five (75) emergency overnight beds at one time.

◆ **Other Emergency And Transitional Shelter Facilities/Programs**

Other service providers include: Dove Ranch, Lindsay-Strathmore Coordinating Council, Open Gate Ministries, Porterville Mission Project, Proteus Training and Employment, Inc. Saint Vincent De Paul, Tulare Emergency Aid, Tulare Emergency Housing, and Partners for Youth Vision.

Teen Pregnancy and Housing Needs

The housing need of teen mothers is significant in Tulare County. According to the County, City, Community-Level Information on Kids, Tulare County has ranked either #1 or #2 of the highest teen birth rate counties in California with rates ranging from 84 births per 1,000 females ages 15 to 19 in 1997 to 70 births per 1,000 females ages 15 to 17 in the year 2000. It is assumed that this same special needs group also comprise a large percentage of the very-low income households.

Large numbers of teenage parents and their children are poor, with poverty exacerbated by limited academic skills, dropping out of high school and backgrounds with few role models or opportunities for improving their livelihoods. Many are not able to remain at home with their parents, either because of overcrowding, abuse and neglect or financial difficulties. They may not have family, friends, or other resources available that enable them to meet the basic needs for themselves or their children. They encounter all of the demands of parenting and being a teen and are often faced with the additional need for stable housing. Without other supports, these teenage mothers are likely to experience homelessness, spend time in foster care, or rely on welfare for assistance. Alternate housing such as group homes, are not well publicized in Tulare County.

Employment

Employment information supplied by EDD is available for Tulare County as a whole. Tulare County has one of the highest rates of unemployment in the nation, due in large

part to the seasonal nature of agricultural employment. Year 2000 U.S. Census figures reveal an unemployment rate of 12.7% for Tulare County. Within the unincorporated area, the Year 2000 Census indicated that 15.8% of the labor force was unemployed, indicating that higher unemployment exists within the unincorporated areas of the County. Employment figures released by EDD for March 2003 indicated an unemployment rate in Tulare County of 18.3 percent. It should be noted that this figure is representative of the "peak" unemployment season in the San Joaquin Valley due to the large number of unemployed seasonal farmworkers. Looking back, according to EDD, the average annual unemployment rate in 1990 was 11.8% or the lowest unemployment rate in Tulare County within the past fourteen (14) years. Between 1991 and 1993 the average annual unemployment rate was between 17 and 19%, and between 1994 and 2002, the annual average rate has been between 15 and 17%.

Agriculture is the third largest employer and continues to be a dominant industry in Tulare County with \$3.49 billion in crops produced in 2002. Agricultural employment accounts for an estimated 15% of all wage and salary employment, decreasing 10% since 1990. Service is the largest employment category with 26% of the total, increasing by 48% between 1990 and 2000. Government (15%) and Retail (11%) rank second and fourth, respectively. Major growth is expected to continue in the fields of agri-business and services industries in future years.

As mentioned previously, the County and cities have recently undertaken a major effort to promote Tulare County as a location for new and expanded industry. Targeted industries include recreation and tourism, computer products and software, electronics, apparel, insurance, agricultural equipment, food processing, transportation and logistics (warehousing, transportation, and call centers), commercial retail establishments. The historical balance between housing and jobs in the region is not expected to be disrupted by this effort. Table 2-15 and Exhibit 2-12 provide more detailed information on employment in Tulare County.

TABLE 2-15

CIVILIAN LABOR FORCE AND EMPLOYMENT BY INDUSTRY Tulare County, 1990 and 2000			
	1990	2000	% Change
Civilian Labor Force	133,458	153,687	13.16
Employed	118,964	134,094	11.28
Unemployed	14,252	19,593	27.26
Unemployment Rate	10.70%	12.70%	15.75
Wage and Salary Employment *1	106,771	134,094	20.38
Agricultural Employment	22,233	20,214	-9.99
Mining	210	169	-24.26
Construction	6,274	7,106	11.71
Manufacturing	13,771	12,610	-9.21
Trans. And Public Utilites	6,463	5,670	-13.99
Wholesale Trade	6,462	8,209	21.28
Retail Trade	17,688	14,317	-23.55
Fin. Ins. And Real Estate	5,250	5,041	-4.15
Services	20,257	38,626	47.56
Government	20,356	20,504	0.72
*1 Wage and salary employment includes the self-employed and unpaid family workers			
Source: 1990 and 2000 U.S. Census			

**EXHIBIT 2-12
EMPLOYMENT BY INDUSTRY
Tulare County, 2000**



Income Levels

The median household income for the Tulare County unincorporated area increased from \$23,489 in the 1990 Census to \$32,126 (weighted average based on households) in the 2000 Census for a 36.8% increase. The median income for the entire County increased \$24,450 to \$33,983. The Statewide and national median incomes in 2000 were \$47,493 and \$41,994 respectively.

Tables 2-16 and 2-17 and Exhibit 2-13 present dollar thresholds for four income group categories specified by the Housing Element Guidelines. These tables also include information on the number of households in each income category for the unincorporated area for the County as a whole, based upon year 2000 Census data.

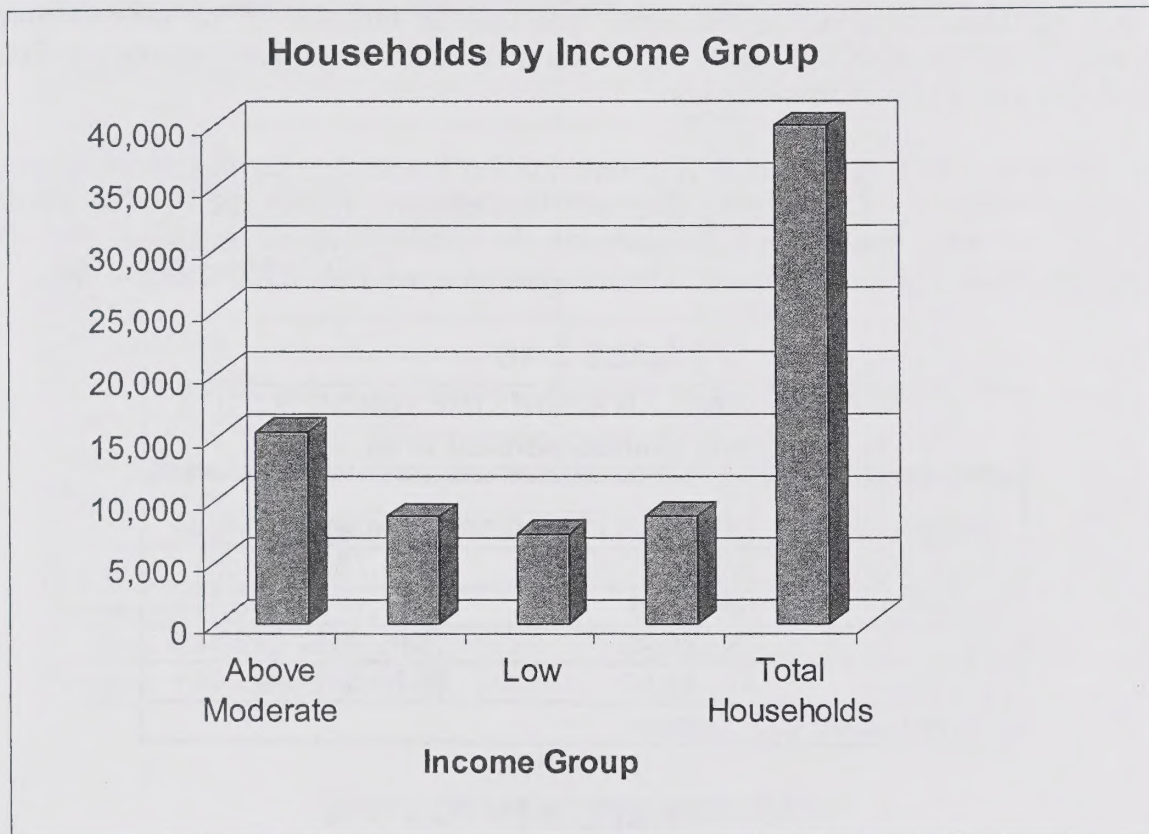
TABLE 2-16

INCOME RANGES BY INCOME GROUPS Tulare Couty Unincorporated Area, 2000		
Income Group	Percent of Median	Income Ranges
Above Moderate	120 or higher	\$40,780 or more
Moderate	80 - 119	\$27,186 - \$40,779
Low	50-79.99	\$16,992 - \$27,185
Very Low	0 - 49.99	\$ 0 - \$16,990
<i>Source: 2000 U.S. Census</i>		

TABLE 2-17

HOUSEHOLDS BY INCOME GROUP Tulare Couty Unincorporated Area, 2000		
Income Group	Number	Percent
Above Moderate	15,433	38%
Moderate	8,622	21%
Low	7,212	18%
Very Low	8,647	21%
Total Households	39,914	100%
<i>Source: 2000 U.S. Census</i>		

EXHIBIT 2-13
HOUSEHOLDS BY INCOME GROUP
Tulare County Unincorporated Area, 2000



Tables 2-18, 2-19 and 2-20 contain information from the 1980 and 1990 U.S. Census and other sources regarding median household income for selected unincorporated communities, and poverty status for Tulare County, the unincorporated area, and the unincorporated communities.

TABLE 2-18

MEDIAN HOUSEHOLD INCOME Census Designated Places (Unincorporated Communities) In Tulare County 1990 and 2000			
Census Designated Place	1990	2000	Percent Change
Alpaugh	NA	\$23,688	
Cutler	\$17,989	\$24,330	135%
Ducor	NA	\$33,125	NA
Earlimart	\$16,593	\$33,125	200%
East Orosi	NA	\$26,071	NA
East Porterville	\$19,677	\$26,071	132%
Goshen	\$19,462	\$25,022	129%
Ivanhoe	\$18,182	\$28,301	156%
Lemon Cove	NA	\$28,333	NA
London	\$11,728	\$28,333	242%
Orosi	\$19,771	\$21,678	110%
Pixley	\$15,123	\$30,400	201%
Poplar-Cotton Center	\$16,855	\$24,519	145%
Richgrove	\$18,144	\$22,885	126%
Springville	NA	\$24,271	NA
Strathmore	\$19,514	\$25,156	129%
Three Rivers	NA	\$42,727	NA
Terra Bella	\$19,063	\$25,313	133%
Tipton	\$18,827	\$26,379	140%
Traver	NA	\$24,500	NA
Woodville	\$17,207	\$25,474	148%
Source: 1990 and 2000 Census			

TABLE 2-19

POPULATION BELOW POVERTY LEVEL Tulare County Jurisdictions, 2000							
Jurisdiction	Total Population		Population Below Poverty Level		Population Below Poverty Level as a % of Total Population		
	1990	2000	1990	2000	1990	2000	Percent Change
Tulare County	311,921	368,021	69,125	86,572	22%	24%	2%
Unincorporated	133,106	141,150	31,320	35,288	24%	25%	1%
Alpaugh	NA	761	NA	35,288	NA	38%	NA
Cutler	4,450	4,491	1,670	1,702	38%	39%	1%
Ducor	NA	504	NA	173	NA	30%	NA
Earlimart	5,924	6,583	2,311	2,753	39%	42%	3%
East Orosi	NA	426	NA	224	NA	51%	NA
East Porterville	5,790	6,730	1,829	2,652	32%	39%	7%
Goshen	2,377	2,394	615	642	26%	28%	2%
Ivanhoe	3,293	4,474	995	1,377	30%	31%	1%
Lemon Cove	NA	298	NA	100	NA	33%	NA
London	1,704	1,848	1,099	822	64%	45%	-20%
Orosi	5,486	7,318	1,714	2,238	31%	31%	0%
Pixley	2,359	2,586	704	1,082	30%	43%	13%
Poplar-Cotton Center	1,804	1,496	531	463	29%	31%	2%
Richgrove	2,051	2,723	664	1,001	32%	37%	5%
Springville	NA	1,109	NA	287	NA	26%	NA
Strathmore	2,458	2,584	689	768	28%	30%	2%
Terra Bella	2,697	3,466	883	1,393	33%	40%	7%
Three Rivers	NA	2,248	NA	219	NA	10%	NA
Tipton	1,405	1,790	491	361	35%	20%	-15%
Traver	NA	732	NA	228	NA	33%	NA
Woodville	1,535	1,678	400	592	26%	37%	11%

TABLE 2-20

FAMILIES BELOW POVERTY LEVEL Tulare County Jurisdictions, 2000			
Jurisdiction	Total Families	Families Below Poverty Level	Number of Families Below Poverty Level Percentage
Tulare County	87,061	16,502	19%
Unincorporated	36,566	7,228	20%
Alpaugh	157	44	28%
Cutler	826	285	33%
Ducor	113	28	25%
Earlimart	1,320	510	38%
East Orosi	62	23	37%
East Porterville	1,413	485	33%
Goshen	507	149	27%
Ivanhoe	966	258	26%
Lemon Cove	73	16	22%
London	344	152	42%
Orosi	1,461	383	25%
Pixley	558	236	43%
Poplar-Cotton Center	314	86	28%
Richgrove	522	175	33%
Springville	63	37	57%
Strathmore	551	135	24%
Terra Bella	779	240	35%
Three Rivers	50	20	23%
Tipton	403	73	18%
Traver	166	39	24%
Woodville	317	101	34%
<i>Source: U.S. 2000 Census</i>			

Comparison of Housing Costs and Income

About 60% of homeowners were spending less than 30% of their income for housing, while only 45% of renters were spending less than 30% of their income for housing in the unincorporated area. The percentage is down from 1990 Census result for homeowners indicating that a higher number of owners are spending more than 30% of their income for housing. The opposite is true for renters. That percentage is up from

the 1990 census when only 38% of renters were spending less than 30% of their income on housing in 1990 indicating that more renters are paying less than 30% of their income for housing.

The 1977 Housing Element Guidelines define "market-rate households" as those households, which have the financial capability to meet their housing needs without sacrificing other essential needs. Accordingly, those households, which do not have that financial capability, are defined as "non market-rate households." For purposes of this Housing Element, lower income households (earning 80% of median income or less), which spend more than 30% of their gross income on housing are classified as non market-rate households. Those that spend 30 % or less of their gross income on housing, including moderate and above-moderate income households, are classified as market-rate households.

The 2000 Census reported data for the percent of household income spent on housing costs by income level. This basic data was used to estimate the number of lower-income households in the market-rate and non market-rate categories (reference Tables 2-21 and 2-22). The results have been used in Chapter VI to project market and non-market rate households through 2008.

TABLE 2-21

MARKET AND NON MARKET-RATE LOWER INCOME HOUSEHOLDS Tulare County Unincorporated Area, 1990, 2000						
	1990		2000		Net Changes 1990-2000	
	Number	Percent	Number	Percent	Number	Percent
Market Rate Households	4,037	34.92%	4,320	34.77 %	283	7.01 %
Non-Market Rate Households	7,524	65.08%	8,105	65.23 %	581	7.72 %
Total Lower Income Households	11,561	100.00%	12,425	100.00 %	864	7.47 %
* Less or = 80% of Median Income.						
Source: 1990 and 2000 Census, VRPA Technologies						

TABLE 2-22

MARKET AND NON MARKET - RATE LOWER INCOME HOUSEHOLDS BY TENURE						
Tulare County Unincorporated Area, 1990 and 2000						
1990						
Income Group	Tenure	Total Households	Market Rate	Percent	Non Market Rate	Percent
Low	Owner	2,376	1,425	59.97%	951	40.03%
	Renter	2,937	999	34.01%	1,938	65.99%
Very Low	Owner	2,657	1,213	45.65%	1,444	54.35%
	Renter	3,591	400	11.14%	3,191	88.86%
2000						
Income Group	Tenure	Total Households	Market Rate	Percent	Non Market Rate	Percent
Low	Owner	3,875	2059	53.13 %	1816	46.87 %
	Renter	3,537	1103	31.21 %	2434	68.79 %
Very Low	Owner	2,105	848	40.27 %	1257	59.73 %
	Renter	2,908	310	10.65 %	2598	89.35 %

Housing costs depend upon many variables, including the type, size, value and/or location of the housing units, the intended tenure of the unit (whether it is to be occupied by owners or renters), and the inclusion or exclusion of one or more utilities, services, property taxes, insurance, and maintenance. The inclusion or exclusion of certain costs in the previous tables conforms to the 1990 and 2000 Census. Homeowner costs include monthly mortgage payments, annual real estate taxes, annual fire and hazard insurance premiums, and average monthly utility and fuel costs, but do not include repairs and maintenance expenses. Renter costs are based upon gross rent, which includes the monthly dollar rent paid and monthly utility costs.

The tables show that a majority of lower income households in the Tulare County unincorporated area would be classified as non market-rate, because more than 30% of their gross income is paid for sound housing. However, to pay even as much as 30% of their income for housing, let alone more than 30%, means that these lower-income households must forego other essentials. Many have never lived in a sound housing unit. To find affordable shelter of any condition is a major task, and very few find it (unless they inherited it, or received financial assistance).

Lower-income households normally have few options in terms of obtaining suitable housing. They may: 1) forego other essentials to live in an unaffordable unit (paying more than 30% of their income for it); 2) live in a less costly unit that is not sound; or 3) obtain financial assistance.

The general rule of not spending more than 30% of gross household income for housing is not applicable to every household. The financial obligations and varied lifestyles are more applicable than strict observance of general rules (i.e., a household expending more than 30% of its income for housing either as an investment, a hedge against inflation or both). According to the 2000 Census, in 1999 39.5% of Tulare County homeowners paid over 30% of their monthly income towards monthly owner costs and 51.2% of renters paid over 30% of their household income towards gross rent.

Many people purchased housing when costs were lower than they are at this time. These householders are now able to remain in those housing units or use the money invested in a previous housing unit as a down payment on a new home, thereby reducing their monthly housing cost. Some people have paid off their mortgages, and, therefore, are free from financial obligation in terms of a house payment. However, for those trying to purchase their first home, the down payment and monthly payment can be overwhelming. Rents that rise faster than wages can have similar results, and the requirement for first months' rent and a security deposit for most standard rental units can place the units beyond the reach of lower-income households.

Census figures for median rental and owner costs do not, however, measure the suitability of the housing unit (i.e., housing condition, overcrowding, etc.) or the cost of purchasing a dwelling unit in today's market. Housing cost and housing condition are discussed in greater detail in the following sections.

Housing Characteristics

This section contains general information on housing characteristics in the Tulare County unincorporated area, including housing types, housing condition, vacancy rates and housing costs.

Number and Type of Units

The housing inventory of the unincorporated area has exhibited a 2.7% increase between the 1990 and 2000 Census, for 45,116 year-round housing units in the year 2000. Housing units by type and tenure for the Tulare County unincorporated area are provided in Table 2-23. Table 2-24 present household population and persons per household by tenure and type of housing unit.

TABLE 2-23

HOUSING UNITS BY TYPE AND TENURE Tulare County Unincorporated Area, 2000					
Housing Type	Year - Round Housing Units				
	Total	Vacant	Occupied Units		
			Total	Owner	Renter
Single Family					
Detached	34,412	3,935	30,477	21,039	9,438
Attached	1,443	122	1,321	501	820
Duplex	526	21	505	66	439
3 or 4 Units in Structure	733	53	680	114	566
5 or More Units in Structure	873	70	803	35	768
Mobilehomes	6,918	866	6,052	3,285	2,767
Other	211	128	83	52	31
TOTAL UNITS	45,116	5,195	39,921	25,092	14,829
<i>Source: 2000 U.S. Census</i>					

Between 1990 and 2000, renters decreased slightly from 37.9% of all households to 37.1%. Over the decade between 1990 and 2000, interest rates for home loans decreased significantly, which led to a 3% increase in home ownership.

The 2000 Census for Tulare County unincorporated area showed that approximately 83.8% of homeowner occupied units were single-family detached homes and almost 13.1% were mobile homes. Less than 3.1% of all homeowner units were in structures with two or more units.

While many people think of rental housing as units within multiple-unit structures, this perception is misleading in Tulare County, where 63.6% of renters lived in single family detached housing units and another 18.7% lived in mobile homes in the year 2000 (reference Table 2-24).

TABLE 2-24

HOUSEHOLD POPULATION AND PERSONS PER HOUSEHOLD BY TENURE AND TYPE OF HOUSING UNIT Unincorporated Area, 2000					
Housing Unit Type	Persons in Total Occupied Units	Persons in Owner- Occupied Units	Persons Per Owner Household	Persons in Renter- Occupied Units	Persons Per Renter Household
Single-Family Detached	106,921	69,376	3.30	37,545	3.98
Single-Family Attached	5,903	2,088	4.17	3,815	4.65
Duplex	1,875	224	3.39	1,651	3.76
3 or 4 Units in Structure	2,714	422	3.70	2,292	4.05
5 or More Units in Structure	2,483	142	4.06	2,341	3.05
Mobilehomes	18,930	8,818	2.68	10,112	3.65
Other	193	109	2.10	84	2.71
Totals	139,019	81,179	3.24	57,840	3.90
<i>Source: 2000 U.S. Census</i>					

Continuous Care Facilities

Of those nursing facilities that care for twenty or more persons, only one is presently within the unincorporated area (Porterville Urban Area). As senior citizens grow older, some will no longer be able to care for themselves. With the demise of the extended family, the care that older citizens require is not readily available from the younger generations. Thus, with an increasing senior citizen population, the need for nursing homes, convalescent homes and continuous-care facilities becomes more pronounced. Just how pronounced the need is referenced in Table 2-9.

Vacancy Rate

The vacancy rate is the proportion of sound vacant-available housing units to the sound total. A desirable vacancy rate is one that balances the social and economic interests of a community, and can be based only on sound units. If the vacancy rate is too high, the owner of the rental unit may be forced to reduce rental rates to attract tenants, with the result that rental income is insufficient to cover maintenance, thereby adversely affecting the condition of the unit. If vacancy rates are too low, the price of housing is artificially and unnecessarily inflated, and housing choice diminishes.

The 2002 Regional Housing Needs Determination Plan prepared by the Tulare County Association of Governments (TCAG), has identified a regional vacancy goal of 7% for all housing. According to the State Department of Finance, the vacancy rate for the Tulare County unincorporated area was 11.64 percent in 2001, compared to a vacancy rate of 10.8 percent as measured by the 1990 Census. Vacancy rates for the unincorporated communities for which 2000 Census data is available are shown in Table 2-25.

TABLE 2-25

**HOUSING UNITS AND VACANCY RATES
Unincorporated Communities in Tulare County, 2000**

Community	Total Occupied	For Sale	For Rent	Other Vacant	Total Vacant	Total Units Available	Total Vac. Rate (%)
Alpaugh	223	10	7	15	32	255	13%
Cutler	909	3	10	51	64	973	7%
Ducor	120	1	1	1	3	123	2%
Earlimart	1501	13	35	54	102	1603	6%
East Orosi	105	1	1	1	3	105	3%
East Porterville	1709	16	54	74	144	1853	8%
Goshen	593	3	27	44	74	667	11%
Ivanhoe	1137	13	25	36	74	1211	6%
Lemon Cove	121	4	0	20	24	145	17%
London	394	0	11	19	30	424	7%
Orosi	1678	3	37	23	63	1741	4%
Pixley	651	13	16	43	72	723	10%
Poplar-Cotton Center	349	0	9	9	18	367	5%
Richgrove	561	1	15	9	25	586	4%
Springville	544	10	32	27	69	613	11%
Strathmore	678	9	29	27	65	743	9%
Terra Bella	779	2	12	24	38	817	5%
Three Rivers	985	28	29	175	232	1,217	19%
Tipton	473	2	7	6	15	488	3%
Traver	173	2	1	6	9	182	5%
Woodville	371	0	2	11	13	384	3%

Source: U.S. 2000 Census

Projected Housing Market Requirements

It is projected that 2,250 new housing units will be needed in the unincorporated area over the period 2001-2008, as outlined in Table 2-26. These projections were prepared by TCAG as part of the Regional Housing Needs Determination Plan, and are based upon the following factors:

- ◆ Market Demand for Housing
- ◆ Employment Opportunities
- ◆ Availability of Suitable Sites and Public Facilities
- ◆ Commuting Patterns
- ◆ Type and Tenure of Housing
- ◆ Housing Needs of Farmworkers
- ◆ Need to Avoid Further Impaction of Localities with Relatively High Proportion of Lower Income Households

TABLE 2-26

EXISTING AND PROJECTED HOUSING NEED Year 2001-2008		
Jurisdiction	2001 Existing Housing Stock	2008 Projected Need for Additional Housing Units
Dinuba	4,732	1,003
Exeter	3,203	663
Farmersville	2,292	376
Lindsay	2,867	308
Porterville	12,823	3,453
Tulare	14,397	3,927
Visalia	33,168	8,646
Woodlake	1,899	369
Unincorporated Area	45,414	2,250
Tulare County	120,795	20,992
<i>Source: Regional Housing Needs Plan, 2002</i>		

Estimates are provided in Table 2-27 for additional new units needed within selected unincorporated communities (those for which Census data is available). It must be kept in mind that, due to the small size of these communities, it is extremely difficult to make accurate forecasts; rather, these figures should be regarded as general guidelines for future development.

TABLE 2-27

DISTRIBUTION OF HOUSING NEED
Selected Unincorporated Communities, 2001-2008

Jurisdiction	2001 Existing Housing Stock	2008 Projected Number of Housing Units	Housing Unit Growth 2001-2008
Alpaugh	251	260	9
Cutler-Orosi	2758	3103	345
Ducor	132	137	5
Earlimart	1604	1744	140
East Orosi	105	109	4
East Porterville	1838	1998	160
Goshen	602	673	71
Ivanhoe	1201	1261	60
Lemon Cove	171	177	6
London	437	453	16
Pixley	708	791	83
Poplar-Cotton Center	378	391	13
Richgrove	589	654	65
Springville	613	635	22
Strathmore	763	801	38
Terra Bella	823	864	41
Teviston	75	78	3
Three Rivers	1307	1421	114
Tipton	488	530	42
Traver	191	213	22
Wells Tract	47	49	2
Woodville	375	408	33
Yettem	50	52	2
Remaining Unincorporated	29610	30565	955
TOTAL:	45116	47366	2250
<i>Source: VRPA Technologies</i>			

Table 2-28 contains the projected need for additional housing by income category for year 2001 through 2008, as contained in the Regional Housing Needs Determination Plan prepared by TCAG.

TABLE 2-28

PROJECTED HOUSING NEED BY INCOME CATEGORY				
Tulare County and Cities, 2001-2008				
Jurisdiction	Very Low (50% of Median)	Low (51-80% of Median)	Moderate (81- 120% of Median)	Above Moderate (over 120% of Median)
Dinuba	254	175	107	468
Exeter	165	110	75	312
Farmersville	61	54	39	221
Lindsay	103	22	25	158
Porterville	1,029	714	392	1,318
Tulare	1,172	865	452	1,439
Visalia	2,307	1,656	965	3,717
Woodlake	85	46	38	201
Unincorporated Area	716	302	202	1,030
Total County	8,292	3,944	2,296	8,864
<i>Source: 2002 Regional Housing Needs Plan</i>				

Because AB 2853 requires each council of governments to determine regional housing needs, what is implied by a determination of household need by income category is movement toward the distribution of households by income category within the region. This movement toward the regional distribution presumption is, in effect, a goal to promote greater housing opportunities throughout the County. For the purposes of the Regional Housing Needs Determination Plan, the existing city percentages were averaged with the existing County and regional percentages to determine the percentage to be applied to the projected housing need. This approach provides for a more equitable distribution of housing opportunities within the County.

Housing Conditions

The Tulare County Resource Management Agency conducted a housing condition survey of unincorporated communities and other unincorporated areas between April and July 2003. This section provides a synopsis of the survey results.

◆ Definition of Terms

- Sound refers to housing units that appear new or well maintained and structurally intact. The foundation should appear structurally undamaged and there should be straight roof lines. Siding, windows, and doors should be in good repair with good exterior paint condition. Minor problems such as small areas of peeling paint and/or other maintenance items are allowable under this category.
- Minor deterioration refers to housing units that show signs of deferred maintenance, or which needs only one major component such as a roof.
- Moderate deterioration refers to housing units in need of replacement of one or more major components and other repairs, such as roof replacement, painting, and window repairs.
- Substantial deterioration refers to housing units that require replacement of several major systems and possibly other repairs (e.g. complete foundation work, roof structure replacement and re-roofing, as well as painting and window replacement.)
- Dilapidated refers to housing units suffering from excessive neglect, where the building appears structurally unsound and maintenance is non-existent, not fit for human habitation in its current condition, and may be considered for demolition or at minimum, major rehabilitation will be required.

◆ Survey Results

The "2003 Housing Condition Survey of Unincorporated Communities" represents the seventh survey of housing conditions in Tulare County, specifically within the unincorporated communities or areas (reference Table 2-29).

TABLE 2-29
HOUSING CONDITIONS
Unincorporated Communities, Tulare County 2003

HOUSING CONDITIONS Unincorporated Communities, Tulare County 2003											
Unincorporated Community	SOUND		DETERIORATED						DILAPIDATED		TOTAL
			Minor		Moderate		Substantial				
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
Allensworth	7	11%	2	3%	15	23%	10	15%	31	48%	65
Alpaugh	31	29%	2	2%	16	15%	12	11%	47	44%	108
Camp Nelson	126	77%	20	12%	15	9%	0	0%	3	2%	164
Cedar Slope	23	72%	5	16%	4	13%	0	0%	0	0%	32
Cutler-Orosi	607	86%	18	3%	45	6%	14	2%	20	3%	704
Delft Colony	21	22%	8	8%	25	26%	22	23%	20	21%	96
Ducor	32	60%	8	15%	6	11%	5	9%	2	4%	53
Earlimart	215	53%	37	9%	50	12%	34	8%	67	17%	403
East Orosi	14	19%	10	14%	22	31%	19	26%	7	10%	72
East Porterville	195	51%	46	12%	67	17%	35	9%	42	11%	385
El Rancho	9	26%	2	6%	4	12%	2	6%	17	50%	34
Elderwood	52	67%	4	5%	17	22%	3	4%	2	3%	78
Goshen	120	76%	12	8%	15	10%	7	4%	3	2%	157
Ivanhoe	214	69%	17	6%	35	11%	22	7%	21	7%	309
Lemon Cove	47	52%	6	7%	17	19%	15	17%	5	6%	90
Lindcove	59	44%	13	10%	19	14%	17	13%	25	19%	133
London	44	38%	13	11%	13	11%	34	29%	13	11%	117
Matheny Tract	27	23%	3	3%	26	22%	17	14%	46	39%	119
Monson	12	38%	3	9%	7	22%	7	22%	3	9%	32
Nanceville	55	69%	10	13%	8	10%	3	4%	4	5%	80
Patterson Tract	156	72%	21	10%	20	9%	12	6%	9	4%	218
Pixley	92	46%	37	18%	28	14%	12	6%	33	16%	202
Plainview	12	20%	3	5%	10	17%	10	17%	24	41%	59
Ponderosa	112	93%	8	7%	0	0%	0	0%	0	0%	120
Poplar-Cotton Center	109	42%	12	5%	36	14%	30	12%	70	27%	257
Porterville Fringe	431	83%	60	12%	21	4%	6	1%	2	0%	520
Richgrove	74	46%	12	8%	28	18%	11	7%	35	22%	160
Seville	23	33%	12	17%	16	23%	12	17%	7	10%	70

TABLE 2-29 (Continued)

HOUSING CONDITIONS											
Unincorporated Communities, Tulare County 2003											
Unincorporated Community	SOUND		DETERIORATED						DILAPIDATED		TOTAL
			Minor		Moderate		Substantial				
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
Springville	94	52%	20	11%	36	20%	16	9%	14	8%	180
Strathmore	97	49%	19	10%	45	23%	18	9%	21	11%	200
Sultana	36	38%	4	4%	19	20%	17	18%	19	20%	95
Terra Bella	101	40%	4	2%	65	26%	37	15%	45	18%	252
Teviston	22	29%	2	3%	10	13%	5	7%	36	48%	75
Three Rivers	329	86%	22	6%	24	6%	4	1%	4	1%	383
Tipton	105	76%	6	4%	16	12%	6	4%	6	4%	139
Tonyville	10	20%	4	8%	14	28%	8	16%	14	28%	50
Tooleville	12	24%	0	0%	11	22%	10	20%	18	35%	51
Tract 213	72	74%	16	16%	9	9%	0	0%	0	0%	97
Tract 51	9	16%	1	2%	11	20%	9	16%	25	45%	55
Tract 92	45	53%	7	8%	16	19%	6	7%	11	13%	85
Traver	18	33%	8	15%	12	22%	7	13%	10	18%	55
Tulare Fringe	405	97%	8	2%	2	0%	1	0%	0	0%	416
Visalia Fringe	472	94%	23	5%	8	2%	0	0%	0	0%	503
Waukena	14	56%	1	4%	5	20%	2	8%	3	12%	25
Wells Tract*	11	23%	5	11%	13	28%	11	23%	7	15%	47
Woodville	52	52%	7	7%	19	19%	4	4%	18	18%	100
Yettem	4	8%	5	10%	11	22%	11	22%	19	38%	50
Survey Total	4,827	63%	566	7%	931	12%	543	7%	828	11%	7,695

Survey conducted by Central Valley Christian Housing Development, Inc.

* Wells Tract was a separate survey conducted by Self Help Enterprises

Of the communities or areas surveyed, the Tulare Fringe had the largest percentage (97%) of standard housing units (as a percentage of total units within the community), while Yettem had the lowest percentage of standard units (8%). Wells Tract had the highest percentage of deteriorated units at 62%, while the Tulare Fringe had the lowest at 3%. El Rancho had the highest percentage (50%) of dilapidated units, while Cedar Slope, Ponderosa, Tract 213, the Tulare Fringe, and the Visalia Fringe had the lowest percentage (0%).

The overall trend in housing condition in the communities during the past eleven years (1992-2003) is one of a relative increase in standard quality housing units. Dilapidated units in the communities surveyed have significantly decreased from 20% in 1992 to 11% in 2003, indicating a desire in the unincorporated area and communities to repair housing in need of improvement. In 1992, standard housing in the unincorporated communities accounted for approximately 64% of total housing units. In 2003, approximately 63% of the housing in the unincorporated communities surveyed was classified as standard or a 1% decrease in standard units since 1992. To the contrary, the trend for units classified as deteriorated has significantly increased, increasing from 16% to 27% in the communities surveyed. This increase in deteriorated units is not considered detrimental to the upward trend in housing condition for the County as a whole.

Certain general conclusions can be drawn from analyses of housing conditions within the unincorporated communities in Tulare County. These conclusions are as follows:

- The overall trend in Tulare County's unincorporated communities has been one of relative increase in housing quality since 1990. Of the unincorporated communities and areas surveyed, improvement in housing quality has been demonstrated by ten (10) communities or 32%, while a decline in housing quality is evident in the remainder. This compares to 22 of 32 communities surveyed or 69% with improvements in housing quality between 1980 and 1992.
- The acquisition of new, standard housing by residents of a community – through either construction or relocation – only slightly impacts the percentages of standard, deteriorated and dilapidated housing; however, it does not alter the absolute number of deteriorated or dilapidated units which need to be rehabilitated or demolished.
- Almost two-thirds (63%) of the total housing units within the unincorporated communities surveyed are in standard condition compared to 64% in 1992.

Table II-30 provides a comparison of survey results between 1992 and 2003 and indicates the percentage increase or decrease in substandard housing between those years.

TABLE 2-30

CHANGES IN SUBSTANDARD HOUSING UNITS Unincorporated Communities in Tulare County, 1992 - 2003		
	1992 Survey Results	2003 Survey Results
Unincorporated Community	% Substandard	% Substandard
Alpaugh	62.01%	72.00%
Cutler-Orosi	29.76%	14.00%
Delft Colony	67.00%	78.00%
Ducor	30.43%	40.00%
Earlimart	53.27%	47.00%
East Orosi	64.00%	81.00%
East Porterville	24.82%	49.00%
Elderwood	16.00%	34.00%
Goshen	14.15%	24.00%
Ivanhoe	27.80%	31.00%
Lemon Cove	22.81%	48.00%
Lindcove	61.00%	56.00%
London	68.97%	62.00%
Patterson Tract	37.00%	28.00%
Pixley	32.59%	54.00%
Plainview	64.00%	80.00%
Poplar-Cotton Center	71.94%	57.00%
Richgrove	51.30%	54.00%
Seville	63.00%	67.00%
Springville	9.66%	48.00%
Strathmore	27.13%	52.00%
Sultana	31.00%	62.00%
Terra Bella	71.31%	60.00%
Teviston	80.65%	71.00%
Three Rivers	1.20%	14.00%
Tipton	27.12%	24.00%
Tract 92	44.00%	44.00%
Tract 213	17.00%	26.00%
Traver	52.10%	67.00%
Woodville	51.35%	48.00%
Yettam	83.05%	92.00%

Lead Paint Hazards

Referencing Table 2-31, while the County does not have direct evidence of the specific housing units built before 1978 when lead paint was prohibited, community data based on housing age reflects the seriousness of the situation in Tulare County. Residences built before 1980 in the unincorporated areas of the County total 72%, compared with 62% of homes built before 1980 countywide (cities plus unincorporated areas).

TABLE 2-31

PRE-1960 AND PRE-1980 HOUSING UNITS						
Geography	Total Housing Units	Median Year Structures Built	Housing units: Built Pre-1960	Percent of Housing units: Built Pre-1960	Housing units: Built Pre-1980	Percent of Housing units: Built Pre-1980
Tulare County	119,639	1974	30,125	25%	75,458	63%
Unincorporated Tulare County	45,116	NA	14,117	31%	32,391	72%
Alpaugh CDP	251	1971	67	27%	200	80%
Cutler CDP	985	1968	255	26%	772	78%
Ducor CDP	132	1972	43	33%	102	77%
Earlimart CDP	1,604	1970	504	31%	1,121	70%
East Orosi CDP	105	1966	40	38%	76	72%
East Porterville CDP	1,838	1966	648	35%	1,463	80%
Goshen CDP	602	1978	116	19%	331	55%
Ivanhoe CDP	1,201	1968	523	44%	886	74%
Lemon Cove CDP	171	1971	58	34%	142	83%
London CDP	437	1971	114	26%	301	69%
Orosi CDP	1,773	1976	255	14%	1,071	60%
Pixley CDP	708	1971	211	30%	498	70%
Poplar-Cotton Center CDP	378	1967	122	32%	290	77%
Richgrove CDP	589	1980	121	21%	298	51%
Springville CDP	613	1959	317	52%	494	81%
Strathmore CDP	763	1971	232	30%	579	76%
Terra Bella CDP	823	1972	193	23%	592	72%
Three Rivers CDP	1,307	1974	324	25%	812	62%
Tipton CDP	488	1971	137	28%	341	70%
Traver CDP	191	1972	53	28%	154	81%
Woodville CDP	375	1971	126	34%	306	82%

Housing Prices

The market value of an average owner-occupied housing unit in Tulare County rose considerably during the period 1990-2000. The median value increased from \$79,900 to \$97,800 or 25%. Median rent has increased by 37%, from \$324 in 1990 to \$516 in 2000. During the same time period, median household income increased by 28%, from \$24,450 in 1990 to \$33,983 in the year 2000.

Data for residential sales prices in the unincorporated area is difficult to obtain. Average sales price figures, which are computed by local boards of realtors, do not distinguish between new and existing homes or between the incorporated and unincorporated area within their jurisdictions. According to the 2000 Census, the median sales price for housing in Tulare County was \$85,800. The median price for a home in Earlimart was \$38,100, and between \$65,000 and \$79,000 for the communities of Cutler-Orosi, Ivanhoe, and Pixley. These figures are well below the national median for a home of \$89,600, and significantly below the California median of \$151,900.

According to California Association of Realtors (CAR), the median price of a single-family home in California during January 2003 was \$336,740 or a 17% increase over the median price of \$287,080 in January 2002. While figures are not available for Tulare County, they are available for the Central San Joaquin Valley. CAR indicates that for the Central Valley, the median home price was \$201,620 in January 2003 compared to \$164,940 in January 2002. This represents an increase of more than 22% over a period of one year.

According to Self Help Enterprises, in unincorporated communities located on the Valley floor, prices generally range from \$15,000 for unimproved lots (no sewer, water, or curb or gutter) to \$25,000 for a newly developed, fully improved lot.

Mortgage interest rates also affect the cost of housing, in terms of the affordability of monthly payments. Average effective mortgage rates on conventional loans fell over the past couple of years to 6.5% compared to the 1990 10.3% level. According to a local lending institution, a maximum of 19.9% of all mortgage loans in California carried adjustable rate terms in 2000. Utility costs (electricity, natural gas and propane), home insurance costs, and worker's compensation and employer liability costs borne paid by the construction industry also contribute significantly to housing costs.

Comparing median income for the unincorporated area to the median price of a new home will help determine whether homes are affordable within the unincorporated areas of Tulare County. As an example, with median income estimated by the 2000 Census in the unincorporated community of Earlimart at \$22,728 and the median sales price of a home at \$38,100, it is apparent that some of the households in this unincorporated community must spend more than 30% for housing. In Springville/Johnsontdale, which had one of the highest median income estimates (\$36,471) within the unincorporated communities, the median sales price of homes is \$79,200, also indicating that even within a community where median income is higher, housing is still not affordable. Unfortunately, in Tipton, the median income is only \$26,061, while the median home price is \$95,000 representing one of the largest gaps between median income and median home sales price.

At-Risk Housing Units

The U.S. Department of Agriculture California Rural Development Office reported that 10 multifamily rural housing rental developments, or 281 units were currently under subsidized housing contracts (reference Table 2-32). There were no Section 8 units at-risk of losing subsidies. Table 2-32 also identifies the following:

- ◆ Type of assistance received
- ◆ Earliest date of change from low-income use
- ◆ Public and private corporations that may have legal and managerial capacity to acquire and manage the housing developments

Goals and policies contained in Chapter VI have been identified to address the loss of units to market rate housing.

TABLE 2-32

**AT-RISK HOUSING UNITS
Tulare County Unincorporated Area, 2002**

Unincorporated Community	Development	# of Assisted Units	Type of Assistance Received	Earliest Date of Change from Low Income Use	Public and Private Corporations that may have Resources to Maintain Low Income Use
Earlimart	Earlimart Senior Apts	34	Section 615 - Elderly	2028	N/A
Earlimart	Westwood Manor	13	Section 615 - Family	2021	N/A
Ivanhoe	Oakwood Apts	23	Section 615 - Family	2021	N/A
Orosi	Alta Vista Apts	41	Section 615 - Elderly	2009	N/A
Orosi	Orchard Manor Apts	28	Section 615 - Family	2014	N/A
Orosi	Orchard Manor II	14	Section 615 - Family	2004	*1
Orosi	Sequoia View Apts	32	Section 615 - Family	2028	N/A
Pixley	Pixley Apts	35	Section 615 - Family	2007	*1
Strathmore	Strathmore Villa	36	Section 615 - Family	2007	*1
Tipton	Tipton Terrace Apts	25	Section 615 - Family	2010	N/A
Total	10	281			
Source: USDA CA Rural Development Office					

N/A Not applicable to the planning period

*1 Low-income preservation funding will be sought by non-profit housing organizations to finance and/or rehabilitate these at-risk units in an effort to keep them affordable. The agencies will meet with representatives of these developments to determine their plans for the developments beyond 2004 and 2007. In addition, Proposition 46 provides funds for the preservation of at-risk units. The RMA will contact each of the affected development representatives and provide them with details regarding Proposition 46 funding. It should be noted that only 85 units will be at-risk of losing subsidies during the planning period. Based upon results of Tables 3-1A through 3-1C, sufficient land will be available for affordable housing during the planning period.

CHAPTER III

ADEQUATE SITES FOR HOUSING

Provision of Adequate Sites for New Housing Construction

The need for new residential construction sites is based on the number of sites necessary to accommodate new housing. The total number of sites that need to be provided in the Tulare County unincorporated area during the period 2001-2008 has been identified in the 2002 Tulare County Regional Housing Needs Plan as 2,250 units. This figure includes an allowance for a desirable vacancy rate.

New urban residential construction within the unincorporated area is encouraged only within the urban boundaries of incorporated and unincorporated communities and within foothill development corridors that are in close proximity to shopping, employment opportunities and fire protection as well as adequate sewer and water facilities. An urban level of development outside these areas would cause significant adverse impacts upon the agricultural environment and economy of Tulare County. However, this policy does not apply to the construction of individual dwellings on large agricultural parcels and rural residential development in areas designated for such uses by the Tulare County General and Community Plans.

The County is required to identify 2,250 housing sites which are to be made available through appropriate zoning and development standards with services and facilities, such as water, sewer and adequate parcel size. The County is required to plan for 1,232 of the above units in the moderate to above moderate housing need by income categories. By using Table 3-1A, Low Density Residential Sites and cross referencing the R-A, R-O and the R-1 zoning districts, the County has enough planned sites to provide 8,982 housing units. This is a sufficient number of housing units to accommodate the moderate and above moderate categories. These units are of adequate size to accommodate single family, mobile and manufactured homes on a single parcel. The majority of these units could also use existing water wells and septic tanks if no community water or sewer facility is available.

The remainder 1,018 housing units fall into the very low income and low income housing need by income categories. The County is required to plan for 716 very low income units and 302 low income units for the 2001-2008 planning period. From 2001 to November 2003, non-profit agencies have constructed 174 low income units within the unincorporated area of the County. This includes 64 units constructed by Self Help Enterprises in the Community of Goshen in 2002, 60 units constructed by Self Help Enterprises in the Community of Cutler in late 2001, and 50 units in the Community of Poplar being constructed by the Housing Authority at this time. Counting these 174

units constructed in the low income (LI) category would leave a total of 128 units remaining in this category and 716 still remaining in the very low income (VLI) category.

The County has prepared an Adequate Sites Inventory that provides sufficient developable sites to accommodate the housing units for the remaining low and very low income categories (716 very low-income units and 128 low-income units). Table 3-1B identifies communities within the County with high density zoning (R-2 and R-3), sufficient or planned water and sewer services available, and parcels of adequate size to accommodate higher densities. The identification of available sites for low and very low income housing units considered several factors including:

- ◆ Whether sewer and water capacity is available within the unincorporated community
- ◆ If sewer and water service is not available, when the service may become available and how the service improvements will be provided
- ◆ If there are available sites with adequate parcel size to accommodate multi-family projects

The following capital improvement projects are in the planning stages, according to Community Development staff and the Tulare County Redevelopment Agency Capital Improvements Program – Master Projects List FY 2003-04 and 2004-05:

- ◆ Cutler/Orosi – Sidewalk safety projects
- ◆ Earlimart - Storm water drainage, air quality & recreation project
- ◆ Goshen
 - Betty Drive / Avenue 312 Realignment & Improvement Project- phases 1,2,3,4
 - Community trail
 - Sewer & Water Capacity Study
 - Camp Drive Water Main Replacement Project
 - Storm water drainage, air quality & recreation project
- ◆ Ivanhoe –Storm water drainage plan, curbs & gutter, streetlights.
- ◆ Pixley – Sidewalk project
- ◆ Poplar-Cotton Center –Storm water / recreation project
- ◆ Richgrove - Storm water / recreation project, street trees, water well and/or remediation
- ◆ Traver – Sewer and water systems upgrade
- ◆ Other capital projects outside redevelopment areas were listed in 2003 as projects to consider for future CDBG grant applications:
 - Test Wells in Lemon Cove, Fairway Tract, Richgrove, Waukena
 - Production wells in Plainview, Lemon Cove, Waukena
 - Wastewater facilities needs assessment in unincorporated communities
 - Water needs assessment in unincorporated communities

- Sewer Connections – Terra Bella (west side), Allensworth
- Water connections – Alpaugh, Fairway Tract, Burnett Water System, Madonna tract (near Delano), Western Sky Mobile Home Park (north of Dinuba)
- Natural Gas Service – Allensworth

A vacant parcel inventory was completed to determine the adequate parcel size (reference Table 3-1c). By referencing Tables 3-1B and 3-1C, the County is able to adequately provide for 787 high density units (R-3 only) within the unincorporated communities. This number is sufficient to adequately supply the 716 very low income units that are required. The remaining 71 R-3 units (716 units required subtract from 787 R-3 units available) will be used in the low income category. This leaves 57 low income housing units that the County needs to address.

The County, in partnerships with non profit housing agencies has demonstrated that low income units have been constructed within the R-2 and even R-1 zoning districts. Examples include the 50 low income single family homes constructed by Self Help Enterprises in the community of Poplar and the 64 unit Goshen Village. The Goshen Village project required a general plan amendment and zone change from low density residential to high density residential. This demonstrates two recent applications where the County works with non profit housing agency to construct low income housing. By using Table 3-1B and 3-1C, looking at communities with sufficient water, sewer and adequate parcel size in the R-2 zone, the County has sufficient planned sites available to supply the remaining low income units required.

The vacant parcel inventory was taken from the eight communities within the County that can support High Density development. The parcels listed are only those with approximately one acre or more. No parcels are listed that were determined to be of inadequate size. This analysis does not take into account any residential reserve parcels, which are zoned agriculture at this time.

Then by using ArcView and looking only at the High Density Land Use and R-3 zoning designations, filtered out those parcels close to one acre or greater in size and located on agricultural or vacant land as appears on the latest assessors data. An average land use density was used to determine how many units per acres could be allowed under the existing General Plan. For example high density Residential land use allows a minimum of 15 units and a maximum of 28 units.

TABLE 3-1A
ADEQUATE SITES IN UNINCORPORATED COMMUNITIES BY ZONE DISTRICT

Community	Rural Residential Zone District				Single Family Estate Zone District				Single Family Residential Zone District				Two Family Residential Zone District				Multiple Family Zone District				Total Sites Avail.	Total Avail. Zoned Acres
	Devel. R-A	Vacant R-A*1	Ave. HU Density/Acre	Avail. Sites R-A	Devel. R-O	Vacant R-O*1	Ave. HU Density/Acre	Avail. Sites R-O	Devel. R-1	Vacant R-1*1	Ave. HU Density/Acre	Avail. Sites R-1	Devel. R-2	Vacant R-2*1	Ave. HU Density/Acre	Avail. Sites R-2	Devel. R-3	Vacant R-3*1	Ave. HU Density/Acre	Avail. Sites R-3		
Alpaugh	65	65	1	65	0	0	1.5	0	0	0	4	0	0	0	9	0	0	0	21	0	65	65
Cutlet-Orosi	7	34	1	34	0	0	1.5	0	439	162	4	568	46	109	9	979	19	16	21	342	1923	321
Ducor	9	73	1	73	0	0	1.5	0	16	19	4	66	16	2	9	19	0	0	21	0	158	94
Earlimart	0	0	1	0	0	0	1.5	0	167	163	4	572	9	9	9	83	3	18	21	387	1042	191
East Orosi	19	8	1	8	0	0	1.5	0	0	0	4	0	0	0	9	0	0	0	21	0	8	8
East Porterville	595	481	1	481	0	0	1.5	0	11	30	4	105	38	13	9	114	13	5	21	95	796	529
Goshen	0	0	1	0	0	0	1.5	0	128	0	4	0	12	23	9	206	2	10	21	215	420	33
Ivanhoe	108	27	1	27	0	0	1.5	0	101	12	4	41	25	4	9	37	1	5	21	101	206	47
Lemoncove	49	27	1	27	0	0	1.5	0	0	0	4	0	0	0	9	0	1	1	21	26	53	28
London	0	1	1	1	0	0	1.5	0	98	24	4	84	1	2	9	15	0	0	21	0	100	26
Pixley	1	6	1	6	0	0	1.5	0	210	92	4	321	30	55	9	493	5	9	21	189	1009	162
Plainview	37	0	1	0	0	0	1.5	0	0	0	4	0	0	0	9	0	0	0	21	0	0	0
Cotton Center	8	25	1	25	0	0	1.5	0	63	21	4	75	46	34	9	308	2	14	21	292	700	95
Richgrove	0	0	1	0	0	0	1.5	0	14	13	4	44	68	9	9	85	7	5	21	113	242	27
Springville	119	334	1	334	0	0	1.5	0	0	0	4	0	0	0	9	0	39	58	21	1215	1549	392
Strathmore	101	29	1	29	0	0	1.5	0	53	35	4	121	2	22	9	195	25	20	21	430	775	106
Tella Bella	180	34	1	34	0	0	1.5	0	32	60	4	211	28	24	9	218	9	14	21	293	756	132
Three Rivers	473	4496	1	4496	119	519	1.5	778	298	12	4	40	0	0	9	0	4	55	21	1148	6462	5081
Tipton	51	163	1	163	0	0	1.5	0	53	15	4	52	5	21	9	189	3	31	21	647	1051	230
Traver	0	0	1	0	0	0	1.5	0	0	2	4	6	44	4	9	35	2	54	21	1139	1180	60
Woodville	43	43	1	43	0	0	1.5	0	46	15	4	52	0	0	9	0	4	6	21	128	223	64
TOTAL	1865	5846		5846	119	519		778	1728	674		2358	368	330		2974	138	322		6759	18716	7691

SOURCE: Tulare County RMA Geographic Information System (GIS) and VRPA Technologies

*1 Available acreage reduced by 20% to provide for required infrastructure.

TABLE 3-1B
ADEQUATE SITES IN UNINCORPORATED COMMUNITIES BY MEDIUM AND HIGH DENSITY RESIDENTIAL ZONE DISTRICT

Community	Medium Residential Land Use					High Density Land Use					Total Units Avail.	Total Avail. Zoned Acres	Sewer Constraints	Alleviation Method	Water Constraint	Alleviation Method	Within the Sphere of Influence of the District	Resulting Sewer Capacity by 2008?	Resulting Water Capacity by 2008?	Adequate Parcel Size	Resulting Avail. Sites W/Sewer/Water**
	Devel. R-2	Vacant R-2*	Total R-2	Ave. HU Density/Acre	Avail. Units R-2	Devel. R-3	Vacant R-3*	Total R-3	Ave. HU Density/Acre	Avail. Units R-3	Avail. R-3 Units with Adequate Parcels*										
Alpaugh	0	0	0	9	0	0	0	0	21	0	0	0	Septic Failure	None within the Housing Element timeframe	Not enough water for domestic use	Trying to obtain State funds	N/A	No	No	N/A	0
Cutler-Orosi	46	109	182	9	979	19	16	39	21	342	60	1321	Treatment Plant: Nearing Effluent Water Capacity, Moratorium, Planned 62 SF Housing units, Freedom Homes planned 60 units	Communities received a \$1 million EPA Grant to improve & expand sewer & water capacities	Moratorium in place. This moratorium does not include the 122 units as discussed in the Sewer Constraints	Nothing Planned within the timeframe of the Housing Element	SOI	Yes	Only for the 122 units.	Yes	122
Ducor	16	2	19	9	19	0	0	0	21	0	0	19	Septic	Cond. of Redevel. May be connected to Terra Bella	Needs new well	Condition of Redevelopment	SOI	Partial R-2 only	Yes	Yes	19
Earlimart	9	9	20	9	83	3	18	26	21	367	181	470	Treatment Plant: East side working fine. West side pipe needs to be increased.	East side sewer line to be increased. West side sewer line to be increased.	4 wells below capacity - nitrates	Building another well	SOI	Yes	Yes	Mismatched/ Large Parcels near perimeter	264
East Orosi	0	0	0	9	0	0	0	0	21	0	0	0	Connected to Cutler/Orosi Waste Water Treatment Plant	Same as Cutler/Orosi	None	None	SOI	Partial R-2 only	Yes	N/A	0
East Porterville	38	13	54	9	114	13	5	19	21	95	0	210	Septic	None	None	None	SOI	Partial R-2 only	No	Yes	114
Goshen	12	23	40	9	206	2	10	14	21	215	0	420	Treatment System: Nearing limit of start-up capacity	Capacity to be purchased from Visalia	Nitrates & TCE - well failures limiting availability	Ca/Water & TCRA working on expanding water capacity & storage	SOI	Yes	Yes	Mismatched/ Large Parcels near perimeter	206
Ivanhoe	25	4	30	9	37	1	5	7	21	101	0	138	Treatment Plant: Some capacity.	None	None	Installing new water pipeline	SOI	Yes	Yes	Yes	138
Lemoore	0	0	0	9	0	1	1	2	21	26	0	26	Limited growth/Very limited capacity to wastewater system	None	Pollution: Nitrates	No intent to fix by 2008	SOI	Partial R-2 only	No	N/A	0
London	1	2	3	9	15	0	0	0	21	0	0	15	Wastewater treatment Plant	None	None	None	SOI	No	No	Yes	0
Pixley	30	55	99	9	493	5	9	16	21	189	157	682	Treatment Plant: Some capacity	None	None	Expanding into north portion	SOI	Yes	Yes	Mismatched/ Large Parcels near perimeter	650
Plainview	0	0	0	9	0	0	0	0	21	0	0	0	Septic	None	None	None	SOI	Partial R-2 only	No	Yes	0
Poplar/Cotton Center	46	34	89	9	308	2	14	20	21	292	260	600	Treatment Plant: Able to serve population of approx. 4,860 persons.	None	None	None		Yes	Yes	Yes	568
Richgrove	68	9	79	9	85	7	5	13	21	113	0	197	Treatment Plant: Exceeding capacity on a regular basis	Sewer expansion planned within the timeframe of the Housing Elopement	3 wells, 2 working. Exceeding capacity in summer. Hydrogen Sulfide in soil & Nitrates	Planning to construct a well and sulfide treatment within 10 years	SOI	Yes	Yes	Yes	85
Springville	0	0	0	9	0	39	58	111	21	1215	0	1215	Treatment Plant: RWQB Moratorium	Not expected to be alleviated within the timeframe of the Housing Element	None	None	SOI	No	Yes	No	0
Strathmore	2	22	29	9	195	25	20	51	21	430	0	625	Info. not available.	None	Uses Friant-Kern Canal water treatment plant	None		No	No	Yes	20
Tella Bella	28	24	58	9	218	9	14	26	21	293	0	510	Treatment Plant: 75% capacity, will be able to serve those within the SOI, however, the SOI does not include the whole UDB area.	Condition of Redevelopment. May expand as part of redevelopment.	None	Condition of Redevelopment	SOI	Yes	Yes	Yes	218
Three Rivers	0	0	0	9	0	4	55	73	21	1148	0	1148	Septic tank Maintenance District	None	Severe water supply issues.	No foreseen mitigation	SOI	Partial R-2 only	No	No	0
Tipton	5	21	31	9	189	3	31	41	21	647	147	835	Treatment Plant: 30% capacity	None	None	Another well to be constructed within the timeframe of the Housing Element	SOI	Yes	Yes	Yes	336
Traver	44	4	49	9	35	2	0	41	21	0	0	35	77% of capacity, March 2002. Capacity for approximately 55-60 homes and 15 acres of R-1-6 or similar commercial or industrial uses. Needs parallel outfall line.	TCRA assistance to add force main & 3 treatment ponds	Nitrates, there is enough pressure for domestic supply however, not enough for County Fire Standards.	TCRA assistance to add well & storage tanks	SOI	Yes	Yes	Yes	90
Woodville	0	0	0	9	0	4	6	12	21	128	0	128	Septic	None	None	None	SOI	Partial R-2 only	No	Yes	0
TOTAL	368	330	781		2974	138	268	511		5620	805	8594									2829

SOURCE: Tulare County RMA Geographic Information System (GIS) and VRPA Technologies
* Source of the number of units available are in Table 3-1c, a vacant parcel analysis of communities with adequate sewer, water and adequate land space available
** This is a calculation of Available R-2 units plus Available R-3 units with Adequate sites.

TABLE 3-1C

VACANT PARCEL INVENTORY			
Medium and High Density Zoned Parcels By Community			
Community and Parcel #	Acres	Land Use/Zoning	Existing Land use
Cutler-Orosi*			
251050017	1.48	HighDenisty/R-3	Vacant/Ag
320050049	4.1	R-3 HighDenisty/R-3	Vacant/Ag
Total Acres	5.58/N/A	60	Total Units
Earlimart			
315010002	2.43	HighDenisty/R-3	Vacant/Ag
318400033	3.46	HighDenisty/R-3	Vacant/Ag
315050002	2.74	HighDenisty/R-3	Vacant/Ag
Total Acres	8.63	181	Total Units
Goshen			
751700021	2.31	Medium Density/R-2	Vacant/Ag
Total Medium Density Acres	2.31	21	Total Medium Density Units
Ivanhoe			
Total Acres	0	0	Total Units
Pixley			
299030001	4.02	HighDenisty/R-3	Vacant/Ag
299131024	0.44	HighDenisty/R-3	Vacant/Ag
314250009	2.60	HighDenisty/R-3	Vacant/Ag
Total High Density Acres	6.62	139	Total High Density Units
295210007	5.07	Medium Density/R-2	
Total Medium Density Acres	5.07	46	Total Medium Density Units
Poplar/Cotton Center			
237190003	5.04	HighDenisty/R-3	Vacant/Ag
237020006	5.26	HighDenisty/R-3	Vacant/Ag
237020007	2.08	HighDenisty/R-3	Vacant/Ag
Total High Density Acres	12.38	260	Total High Density Units
Richgrove			
Total Acres	0	0	Total Units
Tipton			
232200006	1.00	HighDenisty/R-3	Vacant/Ag
230200011	0.96	HighDenisty/R-3	Vacant/Ag
230110004	2.10	HighDenisty/R-3	Vacant/Ag
230070019	1.50	HighDenisty/R-3	Vacant/Ag
230060004	1.47	HighDenisty/R-3	Vacant/Ag
Total Acres	7.03	147.4	Total Units
Community Total High Density Acres	40.24**	787	Community Total High Density Units
Community Total Medium Density Acres	7.38	67	Community Total Medium Density Units

* Only two parcels were chosen to make up for the 60 planned very low income units in the community.

** This number does not correspond to the amount of total units because of the limited amount of units in Cutler/Orosi.

Table 3-2 provides a description of allowable densities by residential zone districts in Tulare County. The General Plan Land Use Element designates these sites for residential uses; however, they have not been zoned to allow residential development at this time.

TABLE 3-2

Maximum Allowable Densities Tulare County Unincorporated Area		
Zone	Description	Maximum Allowable Density
R-A	Rural Residential	6,000 Sq. Ft.
R-A-43	Rural Residential	1 Acre
R-A-100	Rural Residential	2.5 Acres
R-A-217	Rural Residential	5 Acres
R-O	Single Family Estate	12,000 Sq. Ft.
R-1	Single Family Residential	6,000 Sq. Ft.
R-2	Two Family Residential	3,000 Sq. Ft.
R-3	Multiple Family	600 Sq. Ft.
MR	Mountain Residential	20,000 Sq. Ft.
F	Foothill Combining Zone - The F Zone is intended to be combined with the PD Zone (Planned Development) for use within areas designated as "Development Corridor" or "Foothill Extension" by the Foothill Growth Management Plan, an element of the Tulare County General Plan.	
MR	Special Mobile Home Zone - The purpose of this zone is to provide for mobilehome use in communities and rural areas where, under certain conditions, a mixture of conventional housing and individual mobilehomes for residential uses is desirable. This special zone may be applied only in conjunction with the following zones: R-A, R-1, PD, F, and MR.	

SOURCE: Tulare County Zoning Ordinance

Population capacity was calculated by using average household size identified in the 2000 U.S. Census. The capacity of vacant acreage zoned for residential use was estimated to be 18,716 housing units, which would accommodate an additional population base of approximately 58,195 persons within unincorporated communities.

Sufficient Sites to Accommodate Regional Housing Needs

State housing law requires local agencies to identify a sufficient number of sites to accommodate their share of regional housing needs. Specifically, the Housing Element should include evidence that project development in the unincorporated area of Tulare County, is affordable to lower-income households. Affordable rents in the existing housing stock can be demonstrated by using year 2000 Census data related to contract rent within the County. According to the 2000 U.S. Census, the median contract rent for the entire County in 2000 was \$425. A median contract rent for the unincorporated portion of the County is not available; therefore, median gross rent was applied. It should be noted that gross rent also contains the estimated cost of utilities and fuel when the renter pays them.

State Housing Element law defines "affordable to low- and moderate-income households" and indicates that housing units targeted for the lower-income households be made available at a monthly cost that does not exceed 30% of 60% of median income. Housing units targeted for persons and families of moderate-income shall be made available at a monthly housing cost that does not exceed 30% to 100% of median income.

The 2000 U.S. Census indicates that median household income in the unincorporated area was \$32,126. Based on that median income, monthly housing cost affordable to low-income households would be \$482 and monthly housing cost affordable to moderate-income households would be \$803 within the County. As a result, median contract rent for both single- and multiple-family housing units is lower (by \$57) than what a lower-income household could actually afford.

Sites for Emergency Shelters and Transitional Housing

Vacant sites to accommodate future emergency shelter and transitional housing developments are available, based on the amount of vacant land estimated for various residential zone districts within the unincorporated communities in 2003.

According to the County of Tulare Zoning Ordinance, residential support facilities accommodate a maximum of six (6) persons, and are allowed in all residential zone districts, including the R-A, M-R, R-0, R-1, R-2, and R-3 Zone Districts.

Referencing Tables 3-1A through 3-1C, there are sufficient acres of vacant land within residential zone districts, which are available to accommodate emergency shelters or transitional housing developments. However, construction of shelters and transitional housing developments with more than six (6) rooms or units is subject to approval of a Special Use permit. In addition, shelters and transitional housing developments are subject to a public hearing before the Planning Commission. For shelters and

transitional housing developments within a multi-family zone district, when more than four (4) units are proposed, a Site Plan Review is required.

The provision of sites for emergency shelters and transitional housing would be more appropriately located within major urban centers where the provision of support services and facilities are primarily located.

Land for Manufactured Housing

Manufactured housing is allowed in all residential zone districts consistent with State Guideline requirements for such housing, and included as a condition of approval, that the home must be provided with a permanent foundation.

Mobile homes on single-family residential parcels are also allowed in the R-A, MR, R-1, and PD-F Districts in conjunction with the M Overlay Zone. Utilization of the zone may be subject to Site Plan Review provisions. Mobile home parks are allowed in the R-A, MR, R-O, R-1, R-2, R-3, O, and CO Districts subject to approval of a Special Use permit.

Considering the number of available sites for new housing identified in Tables 3-1A through 3-1C, more than an adequate supply of land is available for such housing.

Potential Infill Areas

While development of large vacant areas designated for future development by the General Plan primarily satisfies the need for new housing units, further development of "infill" sites within existing, built-up areas can also help meet this need and the needs of existing residents. Infill development is defined as "the development of new housing or other buildings on scattered, vacant sites, in a built-up area". Essentially, these are single vacant lots, under-utilized large lots, or larger undeveloped pieces of land, which have been bypassed by previous development.

Infill development is especially valuable in meeting affordability needs, as these properties tend to have lower development costs than do vacant tracts at the fringe, which are not yet accommodated by public services. In addition, infill development promotes energy conservation since:

- ◆ It is usually located closer to essential services
- ◆ Increases efficiency of public service deliver (police, fire, transit, etc.)
- ◆ Represents a better utilization of existing infrastructure
- ◆ Reduces the need for new, costly facilities in the outlying area
- ◆ Increases property tax revenues as passed-over properties are developed

- ◆ Preserves prime agricultural land by reducing the need for additional development in fringe areas

The potential for infill development includes a number of subdivided, un-built, residential lots within unincorporated communities. Many of these are located in heavily built-up areas and do not include larger, non-subdivided parcels. Other potential infill areas include older sections of the community where lots are particularly deep or large. Many of these parcels could be subdivided into developable lots without rezoning.

Several factors tend to discourage infill development by the private sector. These include the higher price of land in established areas, and the difficulty associated with assembling adequate sized parcels of land.

Tulare County recently received a Technical Assistance Grant to identify potential in-fill sites in the unincorporated community of Goshen.

Redevelopment Project Areas

Redevelopment districts are formed under State redevelopment law, which provides special development incentives and governmental powers. These incentives and powers are to encourage new development and renovation in community areas, which are in some way physically or economically blighted or distressed. Redevelopment district activities are funded through increased property taxes or resulting from new development or renovations in the district. This provides a mechanism for investments within established areas of the community. Redevelopment plans are required to be in conformity with the General Plan and are used as implementation tools for goals, objectives, and policies that cannot otherwise be achieved by the private sector or by public agencies.

There are eight (8) Redevelopment Areas within the unincorporated area of the County and include districts located in the communities of Cutler/Orosi, Earlimart, Goshen, Ivanhoe, Pixley, Poplar-Cotton Center, Richgrove, and Traver.

Sanitary Sewer Collection and Water Systems/Services

According to RMA staff, a majority of surveyed communities are provided with at least some level of sewer and water service through established Community Services Districts. Most of these communities are contained within Urban Development Boundaries. New growth in these areas will be accommodated through the extension of these existing services. Further, areas located immediately adjacent to these areas can petition the Local Agency Formation Commission (LAFCO) to have properties included in a Community Services District.

In rural communities and in the remaining unincorporated area, sewer and water services will be accommodated through development of individual water well and septic systems inspected and approved by the Tulare County Health Department. As development increases in the rural area, County Service Areas could be formed to provide necessary sewer and water services.

Streets and Roads

The Tulare County General and Community Plan Circulation Elements identify major roadways (i.e. freeways, arterials, and collectors) that accommodate current and future traffic and circulation needs. These Elements are based on land use plans contained in the County General Plan and in each Community Plan.

Additional streets and roads required to accommodate new residential development within urban improvement areas, must be implemented in accordance with County Urban Development Standards, including provisions for curbs, gutters and sidewalks.

Such developments may also be required to provide, through various development review processes such as Site Plan Review, Special Use permit, tract/parcel maps, etc., added improvements to the major street and road system to address impacts. Proposed developments are reviewed by the Tulare County Resource Management Agency (RMA) and other affected Departments to determine impacts and to identify appropriate mitigation measures.

CHAPTER IV

CONSTRAINTS TO THE PROVISION OF HOUSING

Many factors combine to constrain the production of an adequate amount of housing at an affordable price. Some factors that can be attributed to this situation include:

- ◆ Operation of private market system
- ◆ Government regulation of the private market system
- ◆ Actual physical imitations of land, infrastructure and services, which support housing development
- ◆ Governmental regulations imposed at several different levels of government (a county does not have jurisdiction over regional, State or federal regulations)

One problem is the failure to resolve many, yet conflicting, housing goals and standards. For example, building code standards, which are designed to conserve energy (such as requirements for greater insulation and double-paned window glass), result in higher construction costs. Such conditions may price some low and very low-income households out the housing market. While the imposition of building standards adds to the cost of housing, it is generally assumed to be outweighed by improved building safety. In addition, goals and policies that promote the conservation of agricultural land, can make less land available for housing.

This section includes a discussion of private market, governmental, and physical constraints upon the production of housing, as well as current and past actions aimed at minimizing or removing those constraints.

Private Market Constraints

As with governmental controls, there are different levels of private controls, many of which are at least partially independent of each other. One example of this is the effect of lending policies and interest rates upon the production of housing. These policies, and the availability or scarcity of money to finance housing projects, are factors over which local builders and developers have little or no control. Projects that have already received the necessary permits and approvals may be delayed or canceled due to outside economic factors. The federal government is involved with the private sector in determining interest rates and funding availability according to prevailing economic conditions. Other examples of difficulties within private market housing, outside the realm of local housing producers, include shortages of materials, increases in the cost of materials and labor interruptions.

Housing Development Costs

The major components of the cost of new housing are as follows:

- ◆ Land costs
- ◆ Site improvements (including utilities, roads, curb and gutter, and sidewalks)
- ◆ Construction costs (including materials, labor and overhead)
- ◆ Marketing costs
- ◆ Fees (including permit approval, subdivision map approval, building permit, sewer and water hookup, and title and escrow)
- ◆ Financing costs (construction loan fees, carrying costs, and mortgage points)
- ◆ Profit

Each of these costs has been subject to fluctuation during the last decade.

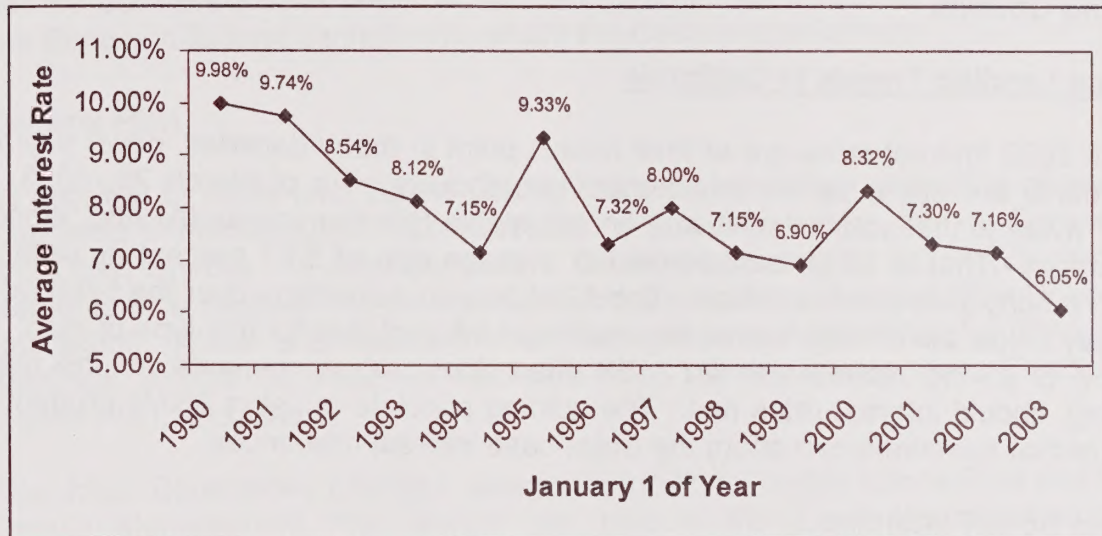
As mentioned previously, only very generalized data is available regarding housing costs in the various unincorporated communities. Information on the cost of purchasing vacant lots in the unincorporated communities is also limited. According to Self Help Enterprises, Inc. in unincorporated communities located on the Valley floor, prices generally range from \$15,000 for unimproved lots (no sewer, water, or curb and gutter) to \$25,000 for a newly developed, fully improved lot.

The average cost for a new single-family 1450 Sq. ft. house (including lot costs) is \$105 per square foot. The cost for the same home per square foot without the cost for the lot is \$70 per square foot. Costs per square foot without the cost of the lot included typically range from \$75 (+/-) up to \$125. The smaller the house square footage the higher the cost per square foot, except for custom homes. For new multi-family housing, the average cost per square foot is \$65 and \$75 with the cost of the land included.

Financing Costs

One of the most significant factors related to the provision of adequate housing for all segments of the population is the availability of affordable financing. Effective mortgage interest rates on a 30-year fixed mortgage loan during the years 1990 through 2003 can be found in Exhibit 4-1.

EXHIBIT 4-1
30-Year Fixed Mortgage Interest Rate
January 1, 1990 – January 1, 2003



Since the early 1980's, mortgage rates have almost steadily declined nationally from a maximum annual average of 16.63% in 1981 to less than 6% in late 2002 and early 2003. With uncertainty in the economy during 2001 and 2002, the past two years have brought even lower rates. Within these two years, the average 30-year fixed mortgage rate dropped from 7.02% to a low of 5.34% on March 11, 2003. This means that a \$150,000 mortgage in 2001 carried a monthly payment of \$999.99 while the February 2003 30-year fixed mortgage rate of 5.96% would require \$895.47 monthly payments, a savings of \$104.52 per month or \$1,254.24 annually.

On December 31, 2002, the U.S. Department of Housing and Urban Development (HUD) adjusted the nationwide basic mortgage limit (applicable to Tulare County) for a single unit to \$154,896.00. FHA's mortgage limits in high cost areas ("the ceiling") may increase to 87% of Freddie Mac's conforming loan limits for a residence of applicable size.

Housing Insurance

It has become particularly difficult to purchase affordable home insurance, especially for new buyers who are purchasing a home with a recent insurance claim. As a result, a local insurance company in Visalia recommends that homeowners use the insurance for catastrophic losses only, not for maintenance. Company representatives also indicated that a potential buyer must rely on the seller to disclose the claim history of a home for

sale. Often, the claim's history is not disclosed and the buyer does not realize that the insurance costs will be much greater than they expect.

Financing Options

Mortgage Lending Trends in California

Although 2003 interest rates are at their lowest point in many decades, down payment requirements are still a barrier to potential homebuyers. As of March 28, 2003, the national average first-year interest rate on adjustable rate mortgages (ARMs), stood at 3.78 percent. That is 32 percent below the average rate of 5.57 percent as of March 2003 on a thirty-year fixed-rate loan. The ARM has an advantage over the fixed rate: it could stay below the lifetime cap or the maximum interest rate for this type of loan. But the hope of saving money with an ARM often does not compensate for the risk of defaulting, should interest rates rise. The guiding principle in using ARMs prudently is to ensure that borrowers can afford the worst-case interest rate or cap.

Revenue Bond Financing

Revenue bond financing was a popular financing mechanism in the mid 1980's. The bond programs helped the construction industry continue building during an extremely inflationary time period. City and County-authorized and California Housing Finance Agency (CHFA) Revenue Bond Programs for single-family housing were particularly useful. However, these have also been prone to problems, and their utility and the community's favor and interest have both waxed and waned. For instance, local Bond Programs for single-family housing flounder when market rate interest drops to a level below the rate established for the Bond Program.

San Joaquin Building Industry Association officials indicated that the CHFA Multiple-family Revenue Bond Program has not been competitive and with the decrease in the prime interest rate and other adjustments, it may not be popular in the future. The requirements and costs for CHFA are a 10 to 20 percent down payment, plus mortgage points, loan fees, and title and escrow fees. These costs present a significant obstacle to homeownership.

Governmental/Physical Constraints

Land Use and Development Controls

Land use and development controls are imposed at a variety of governmental levels including federal, State, regional, county, and city. Generally speaking, two types of development controls are legislated by the State: mandatory controls (such as the requirement that counties adopt a General Plan) and enabling legislation (such as laws

permitting local zoning controls) that allow counties to enact ordinances regulating certain activities. Some local governments choose to benefit from legislative opportunities more than others, depending upon local conditions and sentiment. This subsection contains a discussion of plans and ordinances unique to Tulare County, as well as State and federal controls with which the County must comply.

◆ **General Plan**

As required by State law, Tulare County has a General Plan consisting of seven (7) mandated elements (Land Use, Circulation, Housing, Safety, Noise, Conservation and Open Space). In addition, Tulare County has adopted seven (7) permissive elements or subsets of the seven mandated elements including: Urban Boundaries, Recreation, Water and Liquid Waste Management, Airport Master Plan, Public Buildings, Animal Confinement Facilities Plan, Library Master Plan, Flood Control Master Plan, and others.

The Urban Boundaries Element, along with the Rural Valley Lands Plan and Foothill Growth Management Plan (which are part of the Land Use Element), were discussed in Chapter I, along with the Water and Liquid Waste Management Plan.

The adopted Community Plans designate areas suitable for residential and rural residential development. For the areas surrounding incorporated cities, the policies contained in the Urban Boundaries Element dictate that most residential development (other than rural residential) will actually occur upon annexation to a City.

Unincorporated communities that do not have Community Plans are designated in the 1964 Tulare County Area General Plan as Rural Service Centers. According to the Plan, rural service centers will be limited almost exclusively to areas that function as service centers to surrounding farm areas and highway travelers, in keeping with their historic and current functions.

The County is now in the process of updating its General Plan. The comprehensive update should be complete by 2006.

◆ **Zoning and Ordinance Requirements**

The Tulare County Zoning Ordinance provides for several different single-family, multiple-family and mobile home zoning classifications that are categorized by allowable densities in Table 4-2.

In addition, single-family dwellings, mobile homes and farmworker housing (but not subdivisions) are permitted in all agricultural zones.

TABLE 4-2
Maximum Allowable Densities
Tulare County Unincorporated Area

Zone	Description	Maximum Allowable Density
R-A	Rural Residential	6,000 Sq. Ft.
R-A-43	Rural Residential	1 Acre
R-A-100	Rural Residential	2.5 Acres
R-A-217	Rural Residential	5 Acres
R-O	Single Family Estate	12,000 Sq. Ft.
R-1	Single Family Residential	6,000 Sq. Ft.
R-2	Two Family Residential	3,000 Sq. Ft.
R-3	Multiple Family	600 Sq. Ft.
MR	Mountain Residential	20,000 Sq. Ft.
F	Foothill Combining Zone - The F Zone is intended to be combined with the PD Zone (Planned Development) for use within areas designated as "Development Corridor" or "Foothill Extension" by the Foothill Growth Management Plan, an element of the Tulare County General Plan.	
MR	Special Mobile Home Zone - The purpose of this zone is to provide for mobile home use in communities and rural areas where, under certain conditions, a mixture of conventional housing and individual mobile homes for residential uses is desirable. This special zone may be applied only in conjunction with the following zones: R-A, R-1, PD, F, and MR.	

Table 4-3 shows the maximum density permitted in various residential zones, however, availability of community water and sewer facilities is the controlling factor in determining the actual density that can be approved for a particular project. Table 4-3 shows the minimum site area required, based upon availability of those facilities.

TABLE 4-3
Minimum Site Area Required for Housing

With community water sewer systems	Maximum density allowed by zoning
With community sewer system, individual well	8,000 sq. ft.
With community water system, septic tank	12,500 sq. ft.
With individual well and septic tank	1 acre

Self Help Enterprises has commented that new low-income housing developments often require a General Plan Amendment. Potential neighborhood opposition complicates this requirement. As a result, the County needs additional high density housing sites (R-3), particularly for the very low-income category. Specifically, residentially zoned sites for multi-family developments are needed in Cutler, Orosi, Earlimart, Tipton, Richgrove, Terra Bella, and Goshen, at minimum.

Furthermore, the County understands that there is a desire to review many of the ordinances and standards that may further constrain new residential development. Self Help Enterprises has expressed its concern regarding set-back requirements, maintenance of drainage facilities, excessive parking and street width requirements, inflexibility on use of corner lots in single family subdivisions, an uncertain process for utilizing density bonuses, and processing time for zoning and development applications.

Referencing Chapter VI of this Element, the County is committed to a review of these and other ordinances and standards to reduce potential constraints on the provision of low and very low income housing in the County. The County will consider reducing the rear yard setback requirements set forth in the Zoning Ordinance. This requirement could be replaced with a "lot coverage" requirement to increase the availability of sites for multi-family housing. Amendment of the Zoning Ordinance will be undertaken following preparation and adoption of the General Plan Update, which will be completed in 2005. Furthermore, Policy 5.5 and Program 5.51 indicate that the site plan review process will be streamlined through implementation of a ministerial review process for minor projects or projects with less than 10 housing units. The process should be complete during Fiscal Year 2005/06.

It is evident that availability of community sewer and water systems is critical to the provision of higher density zoning in the unincorporated area. As mentioned previously, General Plan policies encourage most urban residential development in the unincorporated area around cities to occur upon annexation to a city, in conjunction with city sewer and water systems. Residential development in the foothills is dependent upon the holding capacity of the site with regard to water, waste disposal and other physical considerations.

The Tulare County Zoning Ordinance does not contain minimum square footage requirements for residential structures. Table 4-4 identifies standard provisions and requirements of the R-A, R-1, R-2, and R-3 residential zones.

TABLE 4-4
Standard Provisions and Requirements for the
R-A, R-1, R-2, and R-3 Zone Districts

Rural Residential (R-A)

Setbacks:	25 foot front yard (may vary) 3 to 5 foot side yard 25-foot rear yard (may vary)
Coverage:	No limitation
Off-street parking:	1 space
Height:	Maximum of 2-1/2 stories and 35 feet

Single-Family (R-1)

Setbacks:	25 foot front yard (may vary) 3 to 5 foot side yard 25-foot rear yard (may vary)
Coverage:	No limitation
Off-street parking:	1 space
Height:	Maximum of 2- ½ stories and 35 feet

Multiple-Family (R-2 and R-3)

Setbacks:	25 foot front yard (R-2); 15 foot (R-3) (may vary) 3 to 5 foot side yard 25 foot rear yard (R-2); 15 – 20 foot (R-3) (may vary)
Coverage:	No limitation
Off-street parking:	1 space per dwelling
Height:	Maximum of 2-1/2 stories and 35 feet (R-2); 4 stories or 50 feet (R-3)

The County does not prohibit single-family residences in R-2 and R-3 zone districts; however, the County does allow R-3 uses in commercial zones. As an example, 40 multiple-family housing units are currently being developed on a commercially zoned parcel in the unincorporated community of Pixley. It should be noted that actual densities in many of the unincorporated areas of the County are actually at R-2 and R-3 zone densities (4 to 14 and 15 to 28 units per acre).

The Tulare County Zoning Ordinance also permits Planned Unit Developments (PUDs). A PUD may be entirely residential (usually a combination of different densities and dwelling types) or may contain residential, recreational, neighborhood commercial and professional office uses. The purpose of a planned development is to allow a variety of dwelling types and/or land uses, which complement each other and harmonize with existing and proposed land uses, to coexist in the vicinity.

The Zoning Ordinance contains a mobile home combining zone that may be applied in conjunction with the "R-A" Rural Residential Zone, the "R-1" Single-Family Residential Zone, and the "PD-F" Planned Development – Foothill Zone. This zone permits individual mobile homes in communities and rural areas where a mixture of conventional housing and individual mobile homes for residential use is appropriate. Mobile homes in this zone that meet specified standards must be placed on permanent foundations.

Individual mobile homes are also permitted in all agricultural areas. Mobile home parks are allowed by Special Use permits within the R-A, R-O, R-1, R-2, R-3, O (Recreation) and CO (Commercial-Recreation) zones. Mobile home subdivisions are allowed, by use permit, within the R-A, R-O, R-1, R-2 and R-3 zones; however, a use permit is not required if the Mobile Home Combining Zone has already been applied to the site.

◆ ***Required On- and Off-Site Improvements***

The Tulare County Subdivision Ordinance requires developers to provide certain urban improvements as a condition of approval for subdivisions and parcel maps. Development to full urban standards is only required within city and community urban improvement boundaries, as specified by the Urban Boundaries Element. In addition, owners or developers must provide whatever off-site improvements are necessary to properly serve the property (e.g., sewer lines, water lines and roads).

Regulatory procedures in effect in Tulare County are the minimum procedures established in accordance with State law. The County currently has street and road standards that require less right-of-way and improvements than other counties or cities within the State and the Valley. Tulare County does require that the developer of a residential subdivision provide certain improvements, including, but not limited to, the following:

- Roads
- Curb and gutter
- Sidewalks (within Urban Improvement and Urban Development Boundaries);
- Sewer and water lines (where there is an existing system)
- Proper grading for drainage
- Fire hydrants
- Off-street parking
- Irrigation ditch piping or enclosure
- Manholes, sewer, water and utility laterals and service connections, as applicable

Proposed development within a quarter mile of an existing city or community sewer or water line is required to connect that system as a condition of project approval.

The lack of sewer and water capacity in developed unincorporated areas can be a significant obstacle for developing affordable housing. According to Self Help Enterprises and the County, in Cutler-Orosi, where there is tremendous demand, there is very little capacity in their sewer system for growth. Similarly, in Earlimart, Traver, Terra Bella, and other small towns, putting the burden of increasing capacity on new development can result in that development locating elsewhere. To resolve this issue, the County desires to work more closely with parties (whether in other parts of County government or separate districts) to ensure that broader goals of the Housing Element are met. Proactive planning and zoning for the expansion of infrastructure to serve future growth and development will be addressed during development of the County General Plan update.

City/County Coordination

Any development proposed in the unincorporated area within a city's Urban Area Boundary is forwarded from the County to the affected city for review and comment. Because it is planned that most land within these boundaries will at some future time be part of the cities, the County Planning Commission and Board of Supervisors give serious consideration to the approval or denial of a project. Unincorporated communities with municipal advisory councils are also afforded an opportunity to comment upon proposed project within their respective communities.

Amendments to the Urban Boundaries Element, adopted in 1983, provide that new urban development around cities should occur within city limits. Proposed developments are referred first to the adjacent city to determine whether the city is willing and able to annex the property for development purposes. If the city cannot or will not annex, development may be approved within the County if the public service impacts are within the service capabilities of the County and affected special districts, and if the use and density proposed are determined to be consistent with the County's General Plan and compatible with the city's General Plan. These policies apply only to cities with adopted Urban Development Boundaries.

Building Codes and Enforcement

The County of Tulare has adopted and enforces the Uniform Building Code, Uniform Plumbing Code, Uniform Mechanical Code, National Electric Code, Uniform Housing Code and Uniform Code for Abatement of Dangerous Buildings. Enforcement, due to limited staffing, is restricted to the inspection of new construction and remodeling, and code enforcement of existing structures on a complaint basis. The impact of the new State-mandated energy standards on housing costs is discussed in Chapters V and VI.

Sewer and Water Service

In the unincorporated area of Tulare County, sewer and water services, where provided, are supplied by special districts created for that purpose. These districts often suffer from a lack of adequate funds and staff to properly maintain or expand their services.

Tables 3-1A through 3-1C in Chapter III contains an analysis of projected future available sites for those unincorporated communities that have community water and/or sewer systems and for communities without these services. The County has formed a countywide County Service Area that could be activated to provide services of this type, upon the request of the community.

The costs of providing these services can be met through a combination of assessments, user fees, grants and loans.

Rural density residential development is commonly served by septic tanks and individual wells. Lack of community sewer and water systems, in addition to posing potential health hazards, can result in further constraints on residential development. As an example, most funding agencies will not loan funds for new housing unless the site can be provided with community sewer service.

Park and Open Space Development

The County of Tulare operates and maintains nine parks countywide. The County does not have any current plans to acquire and develop new parks, due to budgetary constraints. Further, the County does not assess a land dedication fee for the development of parks and recreation (also known as Quimby fees) upon new residential development.

Schools

Forty-seven (47) school districts serve Tulare County. Of these districts, only a few do not assess impact fees upon new residential development.

Permit Approval Process

The types of residential development permits required by the County were discussed previously in this Chapter. In addition, any new division of land must comply with the provisions of the State Subdivision Map Act and the Tulare County Subdivision Ordinance.

Processing Time

Average processing times for different types of applications are listed below. Obviously, some applications take longer to process than others, and numerous factors can be responsible for delays, but generally speaking, the entire process has been fairly well streamlined. For example, if more than one permit approval is required (e.g., zone change and subdivision map), they are processed simultaneously.

The times shown below in Table 4-5 include the entire period from the date an application is accepted as complete until final approval or denial is received.

TABLE 4-5
Application Review Time Line

Change of Zone	4 to 6 months
Site Plan Review of Foothill Subdivisions	1 to 3 months
Tentative Subdivision Map with Negative Declaration	3 to 6 months
Tentative Subdivision Map with EIR	1 year
Building Permit	1 day
Special Use Permits	1 to 2 months
Residential P.U.D.	4 to 6 months

Compliance with the requirements of the California Environmental Quality Act (CEQA) is handled simultaneously with an application for a particular project. Environmental review does not particularly lengthen the processing time for a project, unless it is an Environmental Impact Report (EIR). All projects are processed within the statutory time limits specified by CEQA.

Processing procedures and time-lines for land use entitlement requests are affected by the need to address environmental issues through CEQA. The County will investigate ways to apply ministerial and categorical exemptions to proposed projects through implementation of Policies and Programs identified under Objective 1 in Chapter VI of the Element. These policies and programs are intended to reduce unnecessary constraints on the provision of housing in Tulare County. Program 1.61 has been revised to add two additional tasks to the review of permit processing and fees including:

- ◆ Meet with the Advisory Committee to review recommended changes to procedures and fees
- ◆ Schedule a public hearing with the Board of Supervisors to review and approve changes to the procedures and fees

The County proposes to implement Program 1.61 on an annual basis. Appendix B provides a review of the current procedures and time-lines utilized by the County to process applications for residential development. Typical processing times are shown in Table 4-5. Finally, the County does have a provision in the Zoning Ordinance that allows "over the counter" permitting and minor deviations for residential development.

Fees

The Resource Management Agency (RMA) charges fees for various services associated with residential projects. As with most California counties, Tulare County's fees for these services have increased several times following passage of Proposition 13 in 1978. It is estimated that planning fees, most recently reflected in the Ordinance Code of Tulare County in November 1997, now recover a majority of the cost of providing the service according to RMA staff. Building permit fees are determined by the estimated value of the structure or improvement. It should be noted that fees charged in Tulare County are some of the lowest charged in the State.

In addition to fees charged by the County, special districts charge hookup fees for sewer and water service. These fees vary from district to district.

Some districts require hook-up fees in advance of actual building permit issuance. As a result, developers may be required to finance those fees. The costs to finance these fees may be passed on to the homebuyer, which may increase the cost of living.

Public Housing Constraints

According to the Tulare County Housing Authority, it has become very difficult to provide for new public housing developments because they require approval through referendum. Further, a number of funding sources must be utilized to finance a project.

CHAPTER V

PROGRESS IN MEETING HOUSING NEEDS

The previous chapters have identified housing characteristics, housing needs and constraints to the provision of housing in Tulare County. On a more positive note, this chapter discusses the progress that has been made in meeting the housing needs of Tulare County. More specifically, this chapter contains a discussion of progress toward meeting new construction needs identified in the 1991 Tulare County Association of Governments (TCAG) Regional Housing Needs Plan, a description of existing housing programs in operation in Tulare County, and an evaluation of the County's success in meeting housing needs and implementing policies and programs, which were contained in the Housing Element adopted in 1992. This chapter also contains a discussion of opportunities for energy conservation in the production of new housing, and the application of energy-saving techniques to existing housing.

Production of New Housing/Progress in Meeting Affordability Needs

Table 5-1 summarizes the County's progress toward meeting the 1990-2001 housing affordability targets in the unincorporated area. This includes new construction needs identified in the 1991 Regional Housing Needs Plan and for those years 1997 through January 1, 2001 to reflect the revised Housing Element cycle, and rehabilitation, preservation and assistance program accomplishments. Information presented in Table 5-1 was developed based upon accomplishments provided by both governmental agencies and non-profit agencies involved in the provision or improvement of housing in Tulare County.

The estimate of new market rate housing units was developed by subtracting the total number of new non-market rate housing units from the total number of building permits issued by Tulare County over the eleven-year period. It should be noted that the 2000 Census indicates a smaller increase in total unit growth between the 1990 and 2000 Census when compared to the building permit data provided to the State of California on an annual basis. Annexations were also estimated, as well as total demolitions during the same period, resulting in a total housing unit growth of 2,216 units. The 1991 Regional Housing Needs Plan indicated a housing need within the unincorporated area of 5,405 units, far fewer than were provided even over the eleven-year time frame. The primary reason for the significant shortfall in new units stems from the recession experienced in Tulare County between 1991 and 1997, several major disasters including a citrus freeze, flooding and closure of several long-standing companies that employed large numbers of County residents.

TABLE 5-I

**PROGRESS IN MEETING PREVIOUS
QUANTIFIED HOUSING OBJECTIVES
Tulare County Unincorporated Area
January 1, 1990 through January 1, 2001**

Unit Type/Description	# of Units	Very Low	Low	Moderate	Above Moderate
NEW CONSTRUCTION					
Market Rate					
Single Family	900	0	48	296	555
Multiple Family	22	11	12	0	0
Mobile Homes	73	61	12	0	0
<i>Subtotal Market Rate</i>	995	72	72	296	555
Single Family Affordable/Assisted					
Redevelopment Agency	0	0	0		
USDA Single-Family Program	605	Unknown	Unknown		
<i>Subtotal SF Affordable/Assisted</i>	605	Unknown	Unknown	0	0
Multiple Family Affordable Projects					
Redevelopment Agency	0	0	0		
CDBG Housing Loan Fund	0	0	0		
HOME	0	0	0		
USDA Multiple-Family Program	196	Unknown	Unknown		
Self Help Enterprises Farmworker Rental Housing	49	49	0		
Self Help Enterprises Lower Income Rental Housing	159	Unknown	Unknown		
Self Help Enterprises	208	Unknown	Unknown		
<i>Subtotal MF Affordable/Assisted</i>	612	49	0	0	0
Other					
CSET Youthbuild Homes	4	Unknown	Unknown		
<i>Subtotal Other</i>	4	Unknown	Unknown		
Subtotal Non-Market Rate	1221	49	Unknown		
TOTAL Net Unit Gain:	2216	121	72	296	555
RHNA (January 1, 1990 to July 1, 1997)	5405	1404	1242	1067	1696
WEATHERIZATION					
Self Help Enterprises	Unknown	Unknown	Unknown		
So Cal Edison	Unknown	Unknown	Unknown		
So Cal Gas	Unknown	Unknown	Unknown		
PG&E	Unknown	Unknown	Unknown		
TOTAL	Unknown	Unknown	Unknown	0	0

TABLE 5-I (Continued)

PROGRESS IN MEETING PREVIOUS QUANTIFIED HOUSING OBJECTIVES

**Tulare County Unincorporated Area
January 1, 1990 through January 1, 2001**

Unit Type/Description	# of Units	Very Low	Low	Moderate	Above Moderate
ACQUISITION					
First Time Homebuyers - HOME	15	1	14		
TOTAL	15	1	14	0	0
REHABILITATION					
CDBG					
CDBG Housing Rehabilitation Program	58	43	15		
<i>Subtotal CDBG</i>	58	43	15	0	0
Redevelopment Agency Rehabilitation Programs					
Redevelopment Low- Moderate-Income Housing Fund (LMIHF)	9	5	4		
<i>Subtotal RDA Rehab Programs</i>	9	5	4	0	0
HOME Rehabilitation					
HOME Housing Rehabilitation Program	24	17	7		
HOME CHDA	0	0	0		
<i>Subtotal HOME Rehab Programs</i>	24	17	7	0	0
Other					
USDA – Single Family	385	Unknown	Unknown		
Cal HOME Owner-Occupied Emergency	0	0	0		
Housing Preservation Grant Repairs	14	10	4		
State Farmworker Housing Grant	0	0	0		
Comprehensive Grant Program (HUD)	0	0	0		
Purchase/Rehab./Resale – CV Housing	56	Unknown	Unknown		
Other SHE Rehabilitation Program With CDBG & HOME	418	418	0		
<i>Subtotal Other Rehab.</i>	873	428	4		
TOTAL	964	493	44	0	0
PRESERVATION					
CHFA Multi-Family Preservation	Unknown	Unknown	Unknown		
<i>Subtotal Preservation</i>	Unknown	Unknown	Unknown		
TOTAL	Unknown	Unknown	Unknown	0	0
ASSISTANCE					
Housing Authority Section 8 Voucher	300	Unknown	Unknown		
Homeless Programs	Unknown	Unknown	Unknown		
<i>Subtotal Assistance</i>	300	Unknown	Unknown		
TOTAL	300	Unknown	Unknown	0	0

Existing Housing Programs

The County has continued and expanded its use of state and federal grant funds. It has applied for Community Development Block Grants (CDBG) funds nearly every year since 1978. Approximately \$12,241,560 in CDBG funds has been awarded to Tulare County and used to rehabilitate 320 homes and to fund community infrastructure and improvement projects (58 homes were rehabilitated with \$1,480,228 in CDBG funds between 1/1/90 and 1/1/01). They have also applied for Home Partners Investment Program (HOME) grants, receiving funds totaling about \$4,691,250 that has helped rehabilitate 69 homes and provided gap financing for 36 first time homebuyers. (Between 1/1/90-1/1/01, HOME funds of \$969,307 were provided to 24 households needing housing rehabilitation and \$258,256 assisted 15 first time homebuyers.) In 2000 they applied for and received funding of \$500,000 for the California Home (CalHOME) program that Tulare County has used to help with emergency repairs on 24 homes to date (CalHOME grant term expires in 2005). To support housing goals the County has received Community Development Block Grants for Planning and Technical Assistance adding up to approximately \$515,730. Finally, the County has reused about \$724,382 of CDBG & HOME program income (loan payments and payoffs) to help rehabilitate 42 properties (35 between 1/1/90 and 1/1/01) and to keep 15 properties from being lost due to tax, insurance, or mortgage default during the same time period.

This section contains a catalog of existing programs, both public and private. Some are not formal programs per se, but rather actions which the County and private entities have taken to address the housing needs which exist in the unincorporated area.

Tulare County Housing Authority

The Tulare County Housing Authority has been officially designated as the local public housing agency for the County of Tulare by the Board of Supervisors. The Housing Authority operates community centers in Dinuba, Tulare, and Linnell (between Visalia and Farmersville). They also own the Whitendale Center in the City of Visalia, which is operated by the City of Visalia, and the old Santa Fe Train Depot in Porterville, which is operated by the City of Porterville as a senior center. Finally, the Housing Authority has buildings in Springville at its senior complex that they lease for various activities including meetings and classes.

The total number of units owned and managed by the Housing Authority in the unincorporated area is reflected in Table 5-2.

The Housing Authority administers the Section 8 rental assistance program countywide. This program allows eligible low-income tenants to find the rental unit of their choice (which meets federal standards for housing condition and maximum rents). The

difference between 25 to 30% of the tenants' incomes and the actual rent is subsidized. Approximately 300 households participate in this program in the unincorporated area, but the tenants are free to locate anywhere in Tulare County where housing is available and which meets program requirements.

TABLE 5-2
TULARE COUNTY HOUSING AUTHORITY
UNITS OWNED AND MANAGED IN THE UNINCORPORATED AREA

Program Description	Number of Units	Location
Conventional Housing Units	105	Cutler-Orosi, London, Goshen, Traver, and the unincorporated areas surrounding various cities within the County
Farm Labor Housing Units	492	Woodville, Linnell, Terra Bella, and Poplar Grove
Section 8 Units and Moderate Rehabilitation Projects	380	Unincorporated areas throughout the County
Miscellaneous Rental Housing	110	Springville
Assisted Units Using Tax Credits	36	Sultana
TOTAL	1,123	

Due to the need for referendum approval before a public housing project can be built, the Housing Authority has not provided for any new public housing developments within the unincorporated area.

Community Development Block Grants

The Community Development Block Grant Program (CDBG) is authorized by the Housing and Community Development Act of 1974 (as amended) and Subpart I of the Federal Community Development Block Grant regulations. Administration of the CDBG Program was transferred to the State Department of Housing and Community Development (HCD) in 1982 after passage of the Federal Omnibus Budget Reconciliation Act of 1981. The act combined several categorical programs into a Block Grant that would provide local government an opportunity to assess their own community development needs and establish their own funding priorities within certain

limitations. Further limitations were placed upon smaller non-entitlement counties and cities (such as Tulare County) to compete with each other for program funds.

The primary objectives of this program are:

- ◆ the development and preservation of cities and counties by providing decent housing and a suitable living environment and expanding economic opportunities, principally for the targeted income group; and
- ◆ not less than fifty-one percent (51%) of the funds made available to HCD shall be used to make grants to eligible cities or counties for the purpose of providing or improving housing opportunities for the targeted income group or for purposes directly related to the provision or improvement of housing opportunities for the targeted income group including, but not limited to, the construction of infrastructure.

Under both the HUD and CDBG administered CDBG Program, Tulare County has fared well in competition, having received a total of \$12,241,560 since 1978 that has helped rehabilitate 320 units in the unincorporated area and provide improvements to public facilities.

Home Investment Partnerships Program (HOME)

The HOME Program was created under Title II (the HOME Investment Partnerships Act) of the National Affordable Housing Act of 1990, and has been amended several times by subsequent legislation. The objectives and intent of the HOME Program are: provide decent affordable housing to lower-income households; strengthen the ability of state and local governments to provide housing; expand the capacity of non-profit housing providers; and leverage private sector participation. In addition, Congress intended the HOME program to operate in ways that will help the participating jurisdiction (PJ) undertake its own affordable housing strategy.

CalHome Program

The CalHome Program was established by SB 1636 (Alarcon), which created Chapter 6 (commencing with Section 5960) and added it to Part 2 of Division 31 of the Health and Safety Code. The CalHome Program supports existing homeownership programs aimed at low- and very low-income households and operated by private nonprofit and local government agencies. Eligible activities include mortgage assistance, owner-occupied rehabilitation, manufactured housing rehabilitation or replacement; homeownership housing development loans, self-help technical assistance and shared housing. Tulare County was awarded 2000-2001 CalHome funds for an Emergency Home Repair Program.

Housing Bond Program

Having determined that a substantial need for more affordable housing construction, rehabilitation and acquisition financing existed in Tulare County, the Board of Supervisors, on July 1, 1980, passed a resolution to issue \$14,090,000 in low interest tax, exempt mortgage revenue bonds. These funds provided financing for the acquisition, construction and rehabilitation (including refinancing) of housing within Tulare County. The eight unincorporated cities were authorized to enter into cooperative agreements with the County to provide loans for housing within the cities.

All of the funds generated by the bond issue were utilized, and approximately 200 units were constructed countywide as a direct result of this program. Due to this program's success, the Board of Supervisors initiated a similar resolution on March 23, 1982, for an aggregate amount of \$31.2 million. However, due to a decline in conventional interest rates, the notes were called. As a result, further implementation has not occurred since 1982.

USDA Housing Programs

According to the local regional office of the USDA in Visalia, the single-family and multiple-family housing programs have been implemented throughout the unincorporated areas of Tulare County over the past eleven (11) years. The single-family program has provided for 605 new housing units and the multiple-family program has provided for 196 new units. The multiple-family units were built in Poplar (52 units), Richgrove (50 units), Cutler (42 units), Oroshi (42 units), and Farmerville (10 units). The USDA has also provided for repairs to approximately 385 single-family homes during that same time frame.

Private Nonprofit Housing Providers

There are several private, nonprofit corporations providing housing services in Tulare County. Each of the agencies is further described below:

Self Help Enterprises, Inc.

Headquartered in Visalia, this corporation was formed in 1965 and serves eight San Joaquin Valley counties. To achieve its stated purpose of improving the living conditions of the San Joaquin Valley, Self Help Enterprises, Inc. has developed four distinct program areas: new housing, housing rehabilitation, multiple-family, and community development (community facilities). The number of units assisted in Tulare County through SHE programs since its inception are listed below:

- ◆ Housing Rehabilitation – 497 units
- ◆ Housing Reconstruction – 56 units
- ◆ First Time Home Buyer Program – 333 units
- ◆ Emergency Home Repair – 292 units

SHE has completed the following four lower-income rental housing projects in the Tulare County unincorporated area since the 1992 Housing Element:

- ◆ Nueva Sierra Vistas - 35 units in Richgrove
- ◆ Vera Cruz Village - 49 units in Richgrove
- ◆ Villa de Guadalupe - 60 units in Cutler
- ◆ Goshen Village - 64 units in Goshen

Several Central Valley jurisdictions contract with Self Help Enterprises for operation of CDBG and HOME housing rehabilitation programs and HOME First Time Homebuyer programs. Information about the accomplishments of this program indicates that SHE has assisted more than 500 families in single-family units through its Rehabilitation Program.

This housing program involves the acquisition and subdivision of land, securing loans from the United States Department of Agriculture (USDA) Rural Development, and assisting families in the loan application process. Under supervision, the families pool their labor during construction, each family contributing 1,300 hours during the process. Using the "sweat equity" concept, families reduce costs by directly participating in the construction and rehabilitation of their own homes.

Central Valley Christian (CVC) Housing Development Corporation

CVC Housing was established in 1997 to enhance and preserve the supply of affordable housing for low-income persons in the Central Valley area. CVC Housing primarily focuses on the rehabilitation of existing housing and providing assistance to low-income households to become homeowners. The CVC also provides weatherization assistance and/or home repairs in unincorporated areas. To enhance and preserve the supply of affordable housing, the CVC has contracted with the following:

- ◆ County of Tulare - HOME programs (1996, 2002); CDBG rehabilitation program (1998, 1999, 2001, 2002, 2003); and the 2000 CalHome Emergency Home Repair Program. A total of 56 residential units have been rehabilitated by CVC in Tulare County through this funding between 1997 and 2002

- ◆ City of Visalia - HUD HOME programs (1999, 2000, 2001 and 2002); 2002 CDBG program (with housing set-aside); 2001 CDBG Emergency Repair and Basic Needs Program; 2001 CDBG Senior & Handicapped Repair Program; 2001 HOME Rental Rehabilitation Program; 2001 HAS-funded Historic Rehabilitation program; 2001 CHFA HELP program
- ◆ 1998-2001 HUD SFPD purchase, rehabilitation and resale of affordable housing units

Community Services and Employment Training (CSET)

Referencing information provided on the CSET Website, indicated that CSET serves 11,375 people directly each year and 23,261 persons through delegate agencies through its nine (9) offices throughout Tulare County. Further, CSET operates over 20 programs, with an emphasis on workforce development for youth and adults, community building, energy assistance and weatherization, after-school programs, education, conservation, recycling, job creation, juvenile justice programs, welfare to work programs, literacy, and monitoring.

Examples of programs administered by CSET include the following:

- ◆ New Traditions for Women
- ◆ Senior Jobs
- ◆ Tulare County Conservation Corps
- ◆ Community Business Centers in Cutler
- ◆ Goshen, Woodville and Pixley
- ◆ Champion Communities
- ◆ YouthBuild
- ◆ Senior Home Repair
- ◆ Farmworker Transitions
- ◆ Mentors Matter

Funding resources applied by CSET include the following:

- ◆ California Department of Community Services and Development
- ◆ Tulare County Workforce Development Board
- ◆ California Department of Conservation
- ◆ U.S. Department of Housing and Urban Development
- ◆ USDA
- ◆ California Department of Corrections

- ◆ California Wellness Foundation
- ◆ Irvine Foundation
- ◆ The California Endowment
- ◆ Tulare County Redevelopment Agency
- ◆ other local organizations

Since 1966, CSET has built 28 Youthbuild homes in Tulare County, including 4 in Goshen and the remainder in the Cities of Tulare, Visalia, and Farmersville. Finally, CSET provides eviction prevention and rental assistance to Tulare County residents and acts as staff to the HUD Continuum of Care.

Summary Evaluation of Implementation of Policies and Programs Contained in the 1992 Housing Element

Many of the goals, objectives and policies contained in 1992 Housing Element are long-range and continuous in nature and require ongoing implementation. However, some policies were more specific and progress can be measured. Policies of this type that have been implemented are listed below.

Implementation of Various Housing Programs

The Community Development and Redevelopment Division (CD&R) of the Tulare County Resource Management Agency (RMA) was formed "to further community development and economic development activity in the unincorporated areas of Tulare County by researching funding resources, recommending their appropriateness for desired results, obtaining funding for selected programs, and finally, implementing approved programs to the benefit of the County and its residents."

The Division's scope of activities includes management of housing rehabilitation and first time homebuyer programs; restoring and preserving historic buildings; development and coordination of capital improvement projects (sewer, storm water and water systems); upgrading transportation systems; developing community parks and youth centers and facilities; the furtherance of economic development by facilitating job creation; the promotion of the County as a place to film movies and commercials; and the attraction of tourists and new tourism services to the county.

CD&R administers the Tulare County Redevelopment Agency (TCRA), which is overseen by the Tulare County Board of Supervisors sitting as the TCRA Board of Directors. Staff implements redevelopment plans in the communities of Cutler-Orosi, Earlimart, Goshen, Ivanhoe, Pixley, Poplar-Cotton Center, Richgrove and Traver. Community improvements are pursued from time-to-time outside of redevelopment

areas. The focus of implementation is through coordination with special purpose districts, school districts, outside agencies (local, state and federal), and other County departments.

The Mission Statement of TCRA cites Section 33020 of the California Health and Safety Code says, "Redevelopment means the planning, development, re-planning, redesign, clearance, reconstruction, or rehabilitation, or any combination of these, of all or part of a survey (project) area, and the provision of those residential, commercial, industrial, public, or other structures or spaces as may be appropriate or necessary in the interest of the general welfare, including recreational and other facilities incidental or appurtenant to them . . ."

TCRA revenues help offset the costs of administering this division. CDBG and other grant funds authorize the use of a portion of the funds (up to 7.5 percent) for administrative costs.) Assessment fees (user rates) from County Service Areas also accrue to the County. A portion of the administration costs are also subsidized by the Tulare County Association of Governments (TCAG) membership dues for services rendered to member agencies.

The perceived duties and responsibilities of the Community Development and Redevelopment Division, as set forth in the 1992 Housing Element, are addressed below, with each followed by a synopsis of the activity.

◆ Staff and Administer Community Development and Redevelopment Division.

Eight redevelopment project areas have been created by the Tulare County Redevelopment Agency: Cutler-Orosi, Earlimart, Goshen, Ivanhoe, Pixley, Poplar-Cotton Center, Richgrove, and Traver.

Project Area Committees have been established in each community. These committees are advisory to the Board of Directors. Support service agreements are in place with the County for assistance of County Counsel, the Resource Management Agency, and the Auditor-Controller. The following have received special designations:

- Champion Communities: Traver, Cutler-Orosi, Goshen, Earlimart, and Pixley
- Recycling Market Zones: Traver, Cutler-Orosi, Goshen, and Earlimart
- Business Incentive Zones – Traver, Cutler-Orosi, Goshen, and Earlimart

Planned activities in each of the project areas are as follows. Those in process are asterisked.

- Cutler-Orosi – housing rehabilitation*, first time homebuyer assistance*, sidewalks, youth center, industrial park roads, community sewer and water extensions and upgrade, well and storage tank, sewage pump station, community cleanup days, study of business corridor and downtown business district, microenterprise training*
- Earlimart – housing rehabilitation*, sidewalks, fire station truck building, storm water drainage / recreation*
- Goshen – housing rehabilitation*; first time homebuyer assistance*; storm water drainage, air quality & recreation project; sewer collection system & outfall line; water well and distribution on west side of State Route 99; community trail project, community cleanup days; microenterprise training*; Betty Drive / Avenue 312 interchange realignment and improvement*; water main replacement; Betty Drive replacement and sidewalk project
- Ivanhoe - housing rehabilitation*, first time homebuyer assistance*, storm water master plan update, and storm water, air quality and recreation project.
- Pixley - housing rehabilitation*, first time homebuyer assistance*, Pixley Place sidewalk & landscaping, community entry sign, microenterprise training, sidewalk safety program**
- Poplar-Cotton Center - housing rehabilitation*, first time homebuyer assistance*, community center/ Chamber of Commerce facility, storm water drainage & recreation*
- Richgrove - housing rehabilitation*, tree nursery, storm water drainage & recreation project*
- Traver - housing rehabilitation*, first time homebuyer assistance*, sheriff's substation, sewer collection system* & waste water treatment facility upgrades, and force main, new water well, storage tank and distribution system upgrade*

Housing units were rehabilitated in the following unincorporated communities as well as redevelopment project areas:

- Allensworth, Alpaugh, Cutler-Orosi, Delft Colony, Dinuba fringe, Ducor, Earlimart, Exeter fringe, Goshen, Ivanhoe, Lindcove, Lindsay fringe, Pixley, Poplar, Porterville fringe, Posy, Richgrove, Strathmore, Sultana, Terra Bella, Teviston, Tipton, Traver, Tulare fringe, Visalia fringe, Woodville and Yettem

Households in the following unincorporated communities were assisted as first time homebuyers in addition to the redevelopment project areas of Cutler, Orosi, Goshen, Ivanhoe, and Pixley:

- Woodville, Lindsay fringe, Porterville fringe

The Division assisted the following communities in constructing sewer collection systems and wastewater treatment facilities:

- Delft Colony, El Rancho, Goshen, Yettem, Seville, Wells Tract, Tooleville, Tonyville, Traver

The Division has assisted the following communities in constructing water systems in:

- Wells Tract, Springville, Lemon Cove, and Delft Colony.

With assistance from Division staff, water systems were provided or improved in:

- Lemon Cove and Springville/Sequoia Dawn

A fire station was constructed for Doyle Colony.

County residents in Cutler-Orosi, Goshen, Pixley and the Porterville area were offered microenterprise training locally.

- ◆ Aggressively Seek and Administer Community Development Grants, Including CDBG, HOME, CalHome, Economic Development Administration, Farmers Home Administration, Clean Water, Urban Development Action Grants, etc.

The following funds have been received and administered by the Community Development and Redevelopment Division:

- | | |
|-----------|-------------|
| ➤ CDBG | \$5,040,890 |
| ➤ HOME | \$4,691,250 |
| ➤ CalHome | \$ 500,000 |

Evaluation of Implementation of Policies and Programs Contained in the 1992 Housing Element

Many of the goals, objectives and policies and programs contained in the 1992 Housing Element are long-range and continuous in nature and require ongoing implementation. However, some policies were more specific and progress can be measured. Progress toward meeting the policies and programs outlined in the 1992 Housing Element follow.

Policies and Programs

Policy 1.1 Encourage the construction of new housing units for “special needs” groups, including senior citizens, large families, single heads of household, handicapped households, Refugees, and the homeless.

Programs:

- 1.11 Coordinate with the Housing Authority to pursue development of rental housing for large families, as well as providing for other housing needs and types.**

The County has continued to coordinate with the Housing Authority and non-profit housing corporations in the pursuit the development of new housing units for "special needs" groups.

- 1.12 Develop criteria for sites appropriate for large family rental housing and identify such sites; develop incentives for this type of development such as density bonuses, other tradeoffs (such as revised improvement requirements), and development agreements. Amend zoning ordinance to incorporate these criteria.**

The County is currently working on implementing Density Bonus allowances, as well as provisions incorporated into the Planned Unit Development standards contained in the Zoning Ordinance.

- 1.13 Formulate site development standards for multiple family dwellings to assure that there is an accessible pathway between the property line and the primary entrance to the building.**

Accessibility requirements for multi-family dwelling units are implemented through the Site Plan Review process.

Policy 1.2 Encourage the construction of 404 year-round housing units for permanent farmworkers in the unincorporated area by 1997.

Program:

- 1.21 Request the County Housing Authority and Self Help Enterprises, Inc. to make application for farmworker housing grants for sites in the Tulare County unincorporated area.**

The County Housing Authority has applied for Farmers Home Administration Funding, and Self-Help has utilized State Rental Housing Construction Funds to provide for farmworker housing. The Housing Authority has also provided Tax Credit assistance to 36 households in Sultana. Through the administration of the Farm Worker Housing Grant (FWHG), Self Help rehabilitated approximately 500 single-family residences and constructed 49 new farmworker rental housing in

Richgrove within the past four (4) years, and has completed 159 lower-income rental housing units in Richgrove, Cutler and Goshen.

Policy 1.3: *Encourage Federal and State governments to expand and adequately fund housing programs for very low, low and moderate-income households, to stimulate mortgage financing for such programs, and to revise program requirements that preclude certain programs from being utilized.*

Programs:

1.31 Assign the responsibility to the proposed Community Development Division to serve as a housing advocate and liaison with State and Federal housing agencies.

Since its inception in 1986, and with the adoption of the 1992 Housing Element, Community Development and Redevelopment Division serves as a housing advocate and liaison with State and Federal housing agencies.

1.32 On behalf of the Board of Supervisors, advocate housing opportunities in Tulare County with State and Federal elected officials and housing agencies.

The Community Development and Redevelopment Division has been, and will continue to serve as a housing advocate and liaison with State and Federal housing agencies.

1.33 Work with State and Federal elected officials and housing agencies to promote ease of use of State and Federal programs.

The Community Development and Redevelopment Division has been, and will continue to serve as a housing advocate and liaison with State and Federal housing agencies.

1.34 Provide information to local builders and developers regarding available housing programs.

The RMA, as well as non-profit housing organizations, and the Housing Authority continue to provide information to local builders and developers regarding available housing programs.

Policy 1.4: Encourage cooperation between private housing providers and the public sector to direct private resources to areas where housing needs are not being met.

Program:

1.41 Utilize an informal public/private sector committee to meet periodically to review housing needs and opportunities.

Public and private sector agencies have met informally to review housing needs and opportunities, focusing on development projects.

Policy 1.5 Encourage fair geographic distribution of new housing units to meet the needs of "special needs" groups.

Programs:

1.51 Monitor the location of new housing units and include information regarding geographic distribution in periodic housing reports.

Between the years 1990 and 2001, County provided CDBG and HOME housing rehabilitation financing in communities throughout the county to the following special needs groups:

- ◆ Approximately thirty large families with six or more occupants
- ◆ About thirty-five (35) households with self-identified disabled occupants
- ◆ Almost eighty (80) female heads of household, forty-four (44) of whom listed children living in the home
- ◆ Almost eighty (80) householders aged 62 or older

This information is available through the County's automated permit processing system and is produced as required. The demographic characteristics of County-assisted housing loan recipients and their places of residence are compared with current census data for the County. Characteristics such as income level, race, ethnicity, disability, age, female head of household, size of household, presence of children, and occupation as farmworkers are collected and maintained in a database. The County's program managers are instructed to ensure effective communication with disabled housing applicants by utilizing TDDs. Interpreters or bilingual loan officers and construction supervisors assist those whose language skills are stronger in Spanish than in English. Housing rehabilitation includes handicap modifications such as widening doorways, installing ramps and grab bars, etc.

1.52 Adopt the findings of the 1996 Regional Housing Needs Determination prepared by the Tulare County Association of Governments (TCAG).

Since the requirements to prepare a Regional Housing Needs Determination were deferred by State law, a Regional Housing Needs Determination was not adopted by TCAG until November 2002.

Policy 1.6 Continue to encourage, as part of the total new construction effort, the utilization by developers of modular housing units, prefabricated units and mobile homes.

Program:

1.61 Continue present practices, which do not discourage the use modular housing units, prefabricated units and mobile homes.

The County has continued present practices, which do not discourage the use of modular housing units and prefabricated units as long as they are placed on a permanent foundation, and mobile homes as allowed by the County Zoning Ordinance.

Policy 1.7: Annually review governmental procedures and fees for processing applications, inspections, environmental review, building permits and developmental services so that such procedures and fees will not inhibit housing development.

Programs:

1.71 At the discretion of the Planning Director, form a task force of private sector advisors to review County permit processing and make suggestions for streamlining. In performing this task, the task force should:

- ◆ Compare County permit processing with other Counties and the cities in the County
- ◆ Seek technical assistance from the State Office of Permit Assistance
- ◆ Review the list of ministerial and discretionary projects to determine whether more residential projects could be handled at an administrative level

Projects are streamlined through the "fast-tracking" process, as well as through the internal departmental review of projects to optimize staff resources and to process multiple projects concurrently. One of the goals in the formation of the

RMA in June 1996 was to “create” a more responsive approach to the permitting process. This has been accomplished through the creation of a centralized permit counter where all departments with a role in the permitting process participate.

- 1.72 Reduce application and plan checking fees for any housing project developed by public or private nonprofit agencies that include a percentage of total units for lower income households.**

Tulare County has some of the lowest application and plan check fees in the State of California; therefore, it has not been necessary to reduce the fees for housing projects. Further, the County does not assess impacts fees for new development.

- 1.73 Continue the present practice of seeking public input whenever proposals are made to establish new fees or increase existing fees.**

The County continues to seek public input whenever proposals for new fee programs or increased fees are proposed.

- 1.74 Evaluate a “fast-track” option to process applications for low and moderate income housing projects.**

Tulare County RMA has implemented a “Fast Track” environmental review process, which significantly shortens the process time for new development proposals. The environmental review process is the most time-consuming effort associated with processing development applications.

Policy 1.8: Encourage the construction of a broad range of housing types to provide opportunity of choice in the local housing market.

Program:

- 1.81 Continue to issue home mortgage revenue bonds when feasible, and investigate the feasibility of issuing bonds for multiple-family rental housing.**

There has been no activity in this Program due to lack of available revenue bonds for single-family or multiple-family rental housing; however, the need and feasibility continues to be reviewed annually.

Policy 2.1: Develop incentives to encourage rehabilitation of substandard housing.

Incentives to encourage participation in the County's housing rehabilitation programs are built into the program design. Targeted income group households (with income that is 80% or less than county median income) are eligible to receive either below market interest rate loans, deferred payment loans, and/or grants. The popularity of the program is evident from the lengthy waiting list of approximately 200 applicants.

Programs:

2.11 Make greater use of the State Law, which eliminates State tax deductions for depreciation for landlords with substandard rentals.

The RMA Building Division does make active use of State Law, which eliminates State tax deductions for depreciation for landlords with substandard rentals.

2.12 Continue the practice of reducing building permit fees for the rehabilitation of deteriorated housing units located in CDBG project areas.

Fees for the hook-up of low-income families to sewer and water service have been waived under the CDBG program. Building Permit Fees have also been waived on all housing rehabilitation projects in the program for low and very low-income households.

2.13 Continue to address strategies addressing substandard housing through designation of target areas for the concentration of code enforcement, housing rehabilitation and community facility improvement efforts.

The Building Division checks on substandard housing units on a complaint basis only. This can be, and usually is in conjunction with a code violation. Code enforcement does not seek out substandard housing, only illegal housing, illegal electrical, etc. If a housing unit not an illegal substandard unit then Code Enforcement will not respond to the problem. Code enforcement does receive TCRA funds to check on housing in Redevelopment Areas, however, their review is for illegal activities only.

Policy 2.2 Continue to seek funding for the rehabilitation of substandard housing.

Programs:

2.21 Determine whether additional grants can be sought, and coordinate with the County's Community Development Block Grant program.

The following new programs and grants have been used with the CDBG grant program since 1992 to provide services to low and very low-income families:

- ◆ Home Investment Participation Program (HOME)
- ◆ CalHome
- ◆ Program Income Housing Rehabilitation Revolving Loan Fund

2.22 Rehabilitate 714 renter housing units receiving low-rent public housing subsidies through a Comprehensive Grant program (HUD). The County Housing Authority will receive the grant.

The Housing Authority has assisted 380 families through implementation of its Section 8 and Moderate Rehabilitation programs in the unincorporated areas of the County.

Policy 2.3: Continue to use Community Development Block Grant funds for housing rehabilitation, in conjunction with improvements to public facilities.

Program:

2.31 Continue to leverage Community Development Block Grants to obtain additional grant funding.

County RMA Community Development & Redevelopment staff apply for housing grants each year. Grant awards received for housing rehabilitation in the last decade are as follows:

- ◆ CDBG – 1992, 1993, 1995, 1996, 198, 1999, 2000, 2001, 2002
- ◆ HOME – 1996, 1997, 2000, 2001, 2002
- ◆ CalHome – 2000

CDBG funds are leveraged with funds from the following agencies and activities:

- ◆ Tulare County Redevelopment Agency Housing Set-aside funds

◆ HOME & CDBG program income from loan payments

CDBG funds are also used in conjunction with Farmers Home Administration, Clean Drinking Water, Department of Water Resources and Special Circumstance Assistance Grants for sewer and water hook-up projects.

The CDBG application process allows jurisdictions up to ten percent (10%) of the grant request to be set aside for CDBG-eligible activity/project that meets the applicable federal CDBG requirements, which include a minimum 51% targeted income group (TIG) benefit, federal environmental review, federal labor standards, and citizen participation. The 10 percent set-aside activity/project is not competitively rated, therefore providing funds for necessary services in areas with a mix of low- and moderate-income households. Projects have been funded in the following communities with grant set-aside funds:

- ◆ 1998 Allensworth infrastructure
- ◆ 1997 Allensworth Water hookups
- ◆ 1997 Teviston water hookups
- ◆ 1991 Delft Colony water connections
- ◆ 1991 Griggs Ave water connections
- ◆ 1991 Yettem sewer connections
- ◆ 1991 Traver sewer connections

Policy 2.4: Seek the assistance of nonprofit housing agencies in undertaking housing rehabilitation programs.

Programs:

2.41 Continue the close liaison between the County of Tulare, Self-Help Enterprises, Inc., and any other housing organizations able to assist the goals of Tulare County.

The County uses a competitive procurement process, which involves advertising and requesting proposals from an adequate number of qualified housing program managers. The RMA continues to work with all non-profit housing agencies in the County to facilitate housing rehabilitation and provide services to income eligible households.

2.42 Continue a liaison with the Rural Community Assistance Corporation (RCAC) in cooperation with Self-Help Enterprises, Inc. and any other housing organizations able to assist the goals of Tulare County.

The County works with its housing program managers to refine participation guidelines, to maintain a joint waiting list, to oversee performance and attainment of goals. Both current program managers, Central Valley Christian Housing Development, Inc. and Self-Help Enterprises Inc., provide County staff with special expertise and contacts in the housing arena. Self-Help Enterprises, Inc. has received technical Assistant Grants from the RCAC.

Policy 2.5: Investigate incentives to encourage owners of mobile home parks to upgrade their facilities.

Program:

2.51 Review available State and Federal grant and loan programs for upgrading mobile home facilities and make park owners of these programs.

Tulare County is not allowed by the State to have any jurisdiction over mobile homes.

Policy 3.1: Establish incentives to maintain the existing housing stock in good condition.

Incentives to encourage participation in the County's housing rehabilitation programs are built into the program design. Targeted income group households (with income that is 80% or less than county median income) are eligible to receive either below market interest rate loans, deferred payment loans, and/or grants. The popularity of the program is evident from the lengthy waiting list of approximately 200 applicants.

Programs:

3.11 Establish local community awards programs to recognize property maintenance in order to enhance private efforts at housing conservation.

Clean-up days are ongoing and have been sponsored in conjunction with private trash haulers and redevelopment projects. Community cleanup days have been sponsored by the Division, trash haulers and local community groups in Traver, Cutler-Orosi, Goshen, and Richgrove. The "Paint Your House" project is on hold due to lead paint hazard restrictions protecting laborers and residents.

3.12 Continue to use Community Development Block Grant funds and other appropriate funding sources to upgrade community facilities to assure conservation of the existing housing stock.

This activity is ongoing. Grants from State Housing and Community Development are applied for each funding cycle to provide for housing rehabilitation and connection to sewer and water services. The County has also applied to the State Department of Water Resources for grant monies to construct wastewater disposal and safe drinking water systems. Funds from USDA, HCD, EPA, CDBG, tax increment and others were used to address health and safety problems and to upgrade public facilities in the following communities:

SEWER

Dinuba - Griggs Ave.
El Rancho

Seville
Yettam

WATER

Angiola
Allensworth
Cotton Center
Ducor
Lone Oak subdivision

Plainview
Teviston
Three Rivers plus portions under a septic
tank maintenance district
Wells Tract

BOTH SEWER & WATER

Alpaugh
Cutler
Delft Colony
Earlimart
Exeter
Farmersville
Goshen
Ivanhoe
Lemon Cove
Lindsay
New London
East Orosi
Orosi
Pixley
Poplar

Porterville
Richgrove
Springville
Strathmore
Sultana connected to C-O sewer facility
Terra Bella
Tipton
Tonyville
Tooleville
Traver
Tulare
Visalia
Wells Tract tied to Woodlake for both
Woodville

The County used funds from the Rural Economic Division Infrastructure Program (REDIP) in Cutler to design, engineer and construct a new industrial road and cul-de-sac, sewer main and lift station, domestic water well and distribution system for the park and community. REDIP was used in Goshen to provide a new domestic water well and distribution system for the southwest area of town, west of State Route 99.

3.13 Actively seek all grants and low interest loans to maintain and upgrade the housing stock in the Tulare County unincorporated area.

As indicated above (3.12) the Community Development and Redevelopment Division reviews funding opportunities and annually submits applications for State CDBG Funds. Funding applications are leveraged with Redevelopment Agency Low-Moderate Income Housing Funds.

Policy 3.2: Promote tenant responsibility toward conservation of the existing housing stock.

Program:

3.21 Continue existing education and training programs for tenants of federally assisted housing and low-income homeowners.

State Housing and Community Development currently provides Family Self-Sufficiency funds for education and training programs that are utilized by the Tulare County Department of Social Services and other employment training agencies such as CSET.

Policy 4.1: When occupied housing units are demolished due to public action, encourage the development of suitable replacement housing.

Programs:

4.11 Assure that the Housing Authority gives displaced individuals priority placement in public housing.

Placement assistance is provided by the County Housing Authority, which administers the mandated Federal Preference Program for individuals that pay more than 50% of their income for housing, those displaced by no fault of their own, or those in substandard housing units.

4.12 Target demolition efforts in areas where new affordable housing is scheduled to be constructed.

A countywide housing conditions survey currently being conducted in 42 unincorporated communities and within the remaining unincorporated area. The housing survey determines a need to target areas of dilapidated or substandard units for demolitions and/or rehabilitations. The County has provided CDBG, HOME or CalHome funding to demolish and reconstruct approximately six (6) dilapidated residences each year.

Policy 4.2: Develop incentives for the demolition of dilapidated housing units.

The County's HOME and CDBG housing rehabilitation programs provide high enough financing limits to allow the demolition of dilapidated units that are structurally unsafe and the reconstruction of new comparably sized units on the same lots so that families are not displaced from their neighborhoods. While their homes are under construction, the County provides the required temporary relocation assistance. Most of the assisted low-income households qualify for deferred payment loans.

Programs:

4.21 Reduce the demolition permit fees for demolition of dilapidated housing units.

The RMA has not reduced the fees given the need to determine the potential presence of lead and asbestos.

4.22 Review existing residential zoning to determine whether higher density zoning would serve as an incentive for the removal and replacement of dilapidated housing.

This program is accomplished through the preparation of community plans and rezoning studies and community plan updates.

4.23 Make greater use of the State Law, which eliminates State tax deductions for depreciation by landlords with substandard rentals.

The RMA Building Division makes active use of State Law and continues to encourage the use of the State Revenue and Tax Code for restricting tax deductions for depreciation by landlords with substandard rental units.

4.24 Encourage State and Federal funding for farmworker housing, and actively seek funding for such projects.

Farmworker Housing Grants are applied for by the County Housing Authority, and non-profit housing corporations, and are used separately, as well as leveraged with Community Development Block Grant funds, and County Redevelopment set aside funds.

Policy 4.3: Develop a systematic approach to identify and eliminate concentrations of dilapidated housing.

Concentrations of dilapidated housing in unincorporated Tulare County have been identified by housing conditions surveys (most recently conducted in winter 2002), non-profit housing providers, and community residents who contact their elected representatives, among other sources. Target areas for housing grant applications are selected with the aforesaid input, as well as those areas with many households on County's housing rehabilitation waiting list.

Program:

4.31 Continue to address substandard housing, through designation of target areas for concentration of code enforcement, housing rehabilitation and community facility improvements.

The Building Division checks on substandard housing units on a complaint basis only. This can be, and usually is in conjunction with a code violation. Code enforcement does not seek out substandard housing, only illegal housing, illegal electrical, etc. If a housing unit not an illegal substandard unit then Code Enforcement will not respond to the problem. Code enforcement does receive TCRA funds to check on housing in Redevelopment Areas, however, their review is for illegal activities only.

Policy 5.1: Promote development of "skipped-over" vacant lands within cities and within urban boundaries of unincorporated communities.

Program:

5.11 Review the zoning of "infill" vacant lands in unincorporated communities to insure that present zoning is not impeding their development.

A CDBG planning grant was recently awarded for a survey of the unincorporated community of Goshen for vacant residential properties, title search for property owners with identification of resident vs. absentee owners, drive by appraisals and creation of a data base of potential infill housing locations. The survey of vacant properties and resident/non-resident landowners will lay the groundwork for establishing an infill housing program. This study will identify sites for development within the boundaries of Goshen's new community plan that could be economically developed into affordable housing, residential mixed use and commercial properties, thus increasing the housing supply and improving the local economy.

Policy 5.2: Implement adopted community plans, which designate adequate sites for residential development.

Program:

5.21 Approve subdivisions and divisions of land for housing development when such proposals are consistent with adopted plans.

The County has continued to approve subdivisions and divisions of land for housing development when such proposals are consistent with adopted plans and ordinances.

Policy 5.3: Assure a proper balance between the needs of housing and agriculture.

Program:

5.31 Amend the Zoning Ordinance to prohibit potentially incompatible agricultural uses (e.g., feedlots or dairies) within close proximity to concentrations of dwelling units.

The Animal Control Facilities Plan, adopted by the Board of Supervisors in April 2000, prevents new dairy or other CAFOs within one mile a community Urban Area Boundary (UAB) or existing residentially developed area.

Policy 5.4: Prepare and continue to update community plans to provide adequate sites for all types of housing within urban boundaries of unincorporated communities, and zone such sites consistent with community plans.

Programs:

5.41 Systematically review existing community plans and zoning to assure that new community plans provide adequate residentially designated sites.

This program is implemented during the preparation of community plans, rezoning studies and redevelopment plans and community plan updates. A comprehensive General Plan update is scheduled to commence in Fiscal Year 2003-04.

5.42 Continue to prepare master environmental assessments for specific community plans in order to streamline environmental assessments on individual projects.

The County continues to prepare environmental impact reports for Community or Specific Plans, which streamlines environmental assessments on individual projects located within the plan area.

5.43 Review and revise, where appropriate, the urban boundaries of unincorporated communities.

TCAG's Overall Work Program (OWP) annually contains a work element whereby the Urban Development Boundaries are studied on an on-going basis. As a result, the RMA is able to continually revise and update the community plans.

Policy 5.1: Streamline regulations in areas designated for development.

Program:

5.51 Streamline the Site Plan review process by making the following revisions:

- ◆ Reduce the amount of information which must be submitted for minor projects
- ◆ Incorporate a final site plan waiver procedure

The Zoning Ordinance has been amended to allow the waiver of information for minor projects, as well as a waiver procedure for a preliminary site plan.

Policy 6.1: Encourage the construction and rehabilitation of senior citizen group quarters housing, convalescent homes and other continuous care facilities.

Programs:

6.11 Work with the Housing Authority, Self-Help Enterprises, Inc., and other groups as possible, to expand new housing opportunities.

The County Housing Authority actively pursues Federal funding and State Proposition 84 funding to promote new housing opportunities for all groups including seniors.

6.12 Review the Zoning Ordinance to determine whether existing regulations place unnecessary constraints on the development of convalescent homes and other continuous care facilities.

Only two applications for convalescent homes or continuous care facilities were submitted during the plan period. As a result, the Zoning Ordinance should be reviewed to determine whether existing regulations place unnecessary constraints on the development of convalescent homes and other continuous care facilities, with special emphasis on the need for an administrative special use permit.

Policy 6.2: Determine the needs for group quarters for farm labor housing and place an emphasis on meeting that need, if warranted.

Programs:

6.21 Review the Zoning Ordinance to evaluate farm labor camps as a permitted use in appropriate zones, and adopt standards for approval.

Farmworker housing accommodating up to twelve (12) farmworkers is a permitted use in agricultural zone districts under Section 12121.6. Farmworker housing accommodating up to six (6) workers is a permitted use in all other zone districts. Larger farmworker projects are allowed in designated agricultural zones with Special Use Permit approval.

6.22 Identify and quantify the need for group quarters housing for farm workers.

Group quarters housing for farm workers have been identified and quantified in the 2002 Regional Housing Needs Determination Plan.

Policy 6.3: Identify and quantify 150 substandard seasonal farm workers housing units by 1997 and assist in the relocation of the occupants.

Programs:

6.31 Continue to address substandard housing, through designation of target areas for the concentration of code enforcement, housing rehabilitation and community facility improvements.

Funds for the rehabilitation of single-family detached substandard housing units are administered for the County by the private nonprofit housing providers described previously (currently Central Valley Christian Housing Development Corporation and Self Help Enterprises Inc). Funding sources include CDBG, HOME, CalHome, and redevelopment housing set-aside and program income. In 1994, Tulare County assumed responsibility for administration and enforcement of the Employee Housing Act from the State. Housing units permitted under the act are inspected annually and repairs are required as

necessary to maintain the units in compliance with the California Code of Regulations Title 25, Division I, Chapter 1.

Almost 60 self-identified farmworker households were assisted with CDBG or HOME grant funds by having their substandard residences rehabilitated between 1990 and 2001. None were relocated more than temporarily and only if necessary because of health and safety concerns.

6.32 Encourage State and Federal funding for farmworker housing, and actively seek funding for projects of this type.

Funds for specifically rehabilitating farmworker housing are being sought by the Housing Authority from FmHA. The County Community Development and Redevelopment Division is considering applying for Joe Serna Farmworker Housing Rehabilitation funds.

6.33 Request the Housing Authority and Self-Help Enterprises, Inc. to investigate grant and loan programs not currently utilized, as well as private syndication, to increase efforts for development of farm labor housing.

The Housing Authority and non-profit housing organizations continue to investigate grant and loan programs not currently utilized, as well as private syndication, to increase the development of farm labor housing.

6.34 Work with farmers to encourage more private development of farm labor housing.

Farmers are allowed to place farmworker housing on their property either by right or through the Special Use Permit process. The County strives to work more closely with the Farm Bureau regarding farmworker housing.

Policy 6.4: Address the unique group quarters housing needs of refugees (Southeast Asians and others) and develop a liaison with the local task force.

Program:

6.41 Continue to identify and quantify the need for group quarters housing for refugees.

The County Department of Social Services, as well as other various social service organizations throughout the County, have identified the need for group quarters housing for refugees.

Policy 7.1: When locating agricultural industry in rural areas, a determination should be made that a source of employees exists within a reasonable distance of the site.

Program:

7.11 Incorporate information regarding trip generation into staff reports or environmental assessments for new or expanded industrial development.

TCAG has developed a Countywide Traffic Model, which provides information on trip generation and assignment. Incorporation of trip generation and traffic assignment information into staff reports or environmental assessments continue to be utilized by the County. The capability exists to calibrate trip generation data with housing areas to assure proximity of services and a good job housing balance.

Policy 7.2: Continue to support and coordinate closely with local economic development programs.

CD&R / TCRA staff attend functions with EDC, WID to discuss common goals. County staffs a booth at the annual International Agricultural Show with EDC, WID, and the Visalia Chamber of Commerce.

Programs:

7.21 Encourage the Tulare County Economic Development Corporation (EDC) to promote housing opportunities in Tulare County with State and Federal elected officials and housing agencies.

The Tulare County Economic Development Corporation has been encouraged, and has received continued financial support in order to promote housing opportunities in Tulare County with State and Federal elected officials and housing agencies.

7.22 Continue to provide financial support to the Tulare County EDC.

The Tulare County Economic Development Corporation has been encouraged, and has received continued financial support in order to promote housing and job development opportunities in Tulare County with State and Federal elected officials and housing agencies.

Policy 7.3: Assure the provision of housing opportunities for farm-related employment within agricultural areas.

Program:

7.31 Continue to review the Zoning Ordinance and existing zoning and amend if necessary to assure that adequate provision is made for housing opportunities in agricultural areas.

The Zoning Ordinance is periodically reviewed and amended as necessary in order to assure that adequate provisions are made for housing opportunities in agricultural areas.

Policy 8.1: Conduct a housing condition survey of the unincorporated area at least once every five years, in coordination with the decennial and mid-decade censuses.

A housing conditions survey of the unincorporated area is currently on the proposed grant projects consideration list for 2007 or 2008, when County will again apply for CDBG Planning/Technical Assistance Grant funds for another survey.

Program:

8.11 Conduct a housing condition survey of the unincorporated area during Fiscal Year 1995-96.

A Housing Condition Survey was conducted by the County Planning and Development Department in 32 unincorporated communities in 1992. CDBG Planning Grant funds were used in 1994 to survey housing conditions in E. Porterville, El Rancho, Ivanhoe, Pixley, Poplar/Cotton Center, Strathmore, Terra Bella, Teviston and Tooleville. A new survey is currently being conducted in Winter 2002-Spring 2003, with information to be incorporated into the 2003 Housing Element.

Policy 8.2: Improve record keeping with regard to tabulation of mobile homes on individual lots.

Programs:

8.21 Amend the Ordinance Code to allow removal of a mobile home from any site outside mobile home parks only by a permit issued by the Building

Division to enable tabulation of mobile homes on individual lots by date and location.

Due to reduced staff resources and enhancement of Code Enforcement processes, the Ordinance Code has not been amended.

8.22 Include mobile home removals as part of the Building Division's "Weekly Summary of Building Permits."

Removals are tracked by the RMA.

Policy 8.3: Improve record keeping with regard to rehabilitation of housing units.

Community Development and Redevelopment (CD&R) Division's existing filing system is maintained for completed jobs, and updated with annual occupancy monitoring responses, insurance verifications and income re-evaluations. A grants management system database records loan payments and provides information for periodic reports on late payments. Annual reports are generated for the State Controller's office and HCD on redevelopment agency funded and grant funded activities. The system has the flexibility to provide reports on a variety of queries requested by management, such as the special needs group statistics included previously in this chapter. Various upgrades are being considered.

Program:

8.31 Establish a procedure to make a distinction between permits for alterations and permits for rehabilitation of housing units to enable a more accurate assessment of housing condition.

A loan servicing database for the County's rehabilitation assistance program is in operation, allowing accurate data collection and report generation, as well as follow-ups on insurance, payments and re-evaluation requirements.

Policy 8.4: Improve record keeping with regard to demolition of housing units.

CD&R's grants management system includes a field for grant or TCRA funded reconstructions. From this comes the information, between 1990 and 2001, that thirty-four (34) households received grant or TCRA funding assistance to demolish and reconstruct their homes in the unincorporated county. The average number of reconstructions between 1997 and 2001 was six, indicating the high number of dilapidated units occupied by low-

income residents of the unincorporated communities. Similar data is available for private arena through County's Permits system.

Program:

- 8.41 Direct the County Fire Department to notify the Building Division of (1) housing units not completely destroyed by fire, but which will be removed from the site, and (2) removal of debris from a Housing unit completely destroyed by fire so that the Building Division can notify the owners of such property that permits are required, then issue the permits to enable tabulation of housing unit change due to fire.**

The RMA Building Division keeps track of demolitions using the automated permit process. The majority of permits for fire damaged or destroyed units are applied for by property owners. The fire department does not inform the RMA Building Division of demolished units following a fire. The Division ultimately becomes aware of units destroyed by fire, since most homeowners apply for permits soon after a fire to address insurance requirements.

Policy 8.5: Coordinate building permit records with the incorporated cities in Tulare County.

Program:

- 8.51 Enter into agreements with the incorporated cities in Tulare County to obtain, on a regular basis, either weekly or monthly summaries of the following types of building permits, by date, street addresses and census tract to enable tabulation of the change in housing units on a County-wide basis.**

- ◆ Housing unit construction
- ◆ Housing unit demolition or removal
- ◆ Housing unit relocation, including address of previous location
- ◆ Housing units lost by fire

The Tulare County Association of Governments (TCAG) may be the appropriate agency to address this policy. During development of the 2002 Regional Housing Needs Determination Plan, it was agreed that if funding became available, TCAG would work with the local jurisdictions to track changes to the housing stock. A LEGACI grant to purchase computer equipment for that purpose was submitted by TCAG in January 2003.

Policy 8.6: Streamline access to building records to permit an accurate tabulation of housing unit change through which housing, household and population estimates can be made for any given date.

Programs:

8.61 Continue to prepare a monthly summary of residential building permits which would include, by street address, census tract, nearest community, and where multiple units are concerned, both the number of structures and the number of units in each structure, the following types of permits:

- ◆ New construction of single-family units
- ◆ New construction of multiple-family units
- ◆ Mobile home installations
- ◆ Mobile home removals
- ◆ Demolition of single-family units
- ◆ Demolition of multiple-family units
- ◆ Relocated units, including address of previous location
- ◆ Rehabilitation of single and multiple family units

The County prepares monthly reports of building permit activities that are submitted to the State.

8.62 Produce periodic housing reports, which identify community needs and provide information on housing starts, dates, prices and other housing activity.

TCAG prepared the 2002 Regional Housing Needs Determination Plan, which provides the information on community housing needs.

Policy 9.1: Assure that County codes and ordinances promote residential energy conservation.

Programs:

9.11 Continue to enforce and streamline implementation of State Residential Energy Standards.

The County continues to enforce and streamline implementation of State Residential Energy Standards.

9.12 Review existing and proposed codes and ordinances to assure that they do not deter construction of innovative, energy efficient housing.

The County continues to review existing and proposed codes and ordinances to assure that they do not deter the construction of innovative energy efficient housing.

9.13 Continue to enforce the provisions of the Subdivision Map Act regulating energy efficient subdivision design.

The County continues to enforce the provisions of the Subdivision Map Act regulating energy efficiency subdivision design.

Policy 10.1: Encourage Federal and State governments to maintain and increase housing assistance to lower income households.

Program:

10.11 Identify target areas for public housing assistance, based on a countywide needs assessment, housing condition surveys, and other relevant information.

Housing surveys and needs assessments are conducted periodically through CDBG Technical Assistance Grants. Information is shared with the Tulare County Housing Authority and other organizations whose mission is to provide housing to low-income families. This provides the basis for determining where funds for rehabilitation and capital projects can best be directed.

Policy 10.2: Work with public and private nonprofit agencies to encourage the purchase of appropriate undeveloped sites (land bankings) for future sale, at less than market cost, to developers who would agree to build a percentage of the total units for lower income households, and to assure the availability of affordable sites for public housing.

Programs:

10.21 When land is purchased by the County in conjunction with the installation of new public facilities, consideration should be given to making any excess land available for sale to accommodate affordable housing.

Land acquisition for the installation of public facilities in the unincorporated area is utilized specifically for a proposed project. Any excess, remainder or surplus parcels shall be disposed of pursuant to Government Code Section

54220 with notices sent to those agencies outlined in Government Code Section 54222(a).

10.22 Continue to implement Government Code Section 54220, which requires the County to make lands available for purchase by housing agencies.

Land acquisition for the installation of public facilities in the unincorporated area is utilized specifically for a proposed project. Any excess, remainder or surplus parcels shall be disposed of pursuant to Government Code Section 54220 with notices sent to those agencies outlined in Government Code Section 54222(a).

Policy 10.3: Improve housing affordability by utilizing density bonuses, zero lot lines, special units, smaller lot sizes, or cluster development, in return for the construction of a percentage of the total units for lower-income households.

Programs:

10.31 Continue efforts to amend the Zoning and Subdivision Ordinance to allow higher densities, zero lot line development and other, more flexible, zoning provisions.

The County is in the process of preparing Density Bonus allowances as well as provisions incorporated in the Planned Unit Development stage of Site Plan Review as contained in the Zoning Ordinance. On September 29, 2002, Governor Davis approved AB 1866(Wright). This new law, which applies to second unit applications received on or after July 1, 2003, takes away city power to apply discretionary review and public hearing processes to second unit applications. The bill also dramatically changes the density bonus law. The bill amends Government Code section 65852.2 to require second unit applications to "be considered ministerially without discretionary review or a hearing.

10.32 Prepare and adopt a Density Bonus Ordinance consistent with State Density Bonus Law.

The County is in the process of preparing a Density Bonus Ordinance consistent with State Law; however, it has not been adopted given the need to evaluate the Density Bonus provisions resulting from recent legislation. It is expected that the Ordinance will be adopted by the end of Fiscal Year 2003-04.

Policy 10.4: Improve the understanding of housing issues at both the staff and decision-making levels.

CD&R staff regularly attend training provided by HCD (for CDBG, HOME and CalHome programs) and by California Redevelopment Association. They attend conferences sponsored by the Great Valley Center and other housing and economic development organizations. Education continues through independent reading and staff discussions. Staff reports addressing housing issues are provided with agenda items when necessary. CD&R willingly responds to requests for information from members of the Board of Supervisors.

Programs:

10.41 Make developers, builders and the public aware of changes, which have been made or are under consideration; increase the County's public relations efforts.

The County has continued to utilize fliers and other public relations efforts in order to make developers, builders and the public aware of changes, which have been made or are under consideration.

10.42 Preparation of annual reports which enumerate new ordinances; policy and standard revisions undertaken during the previous year and review of accomplishments.

Annual reports are prepared and reviewed by the Planning Commission and Board of Supervisors.

10.43 Include a more detailed analysis of pros and cons and likely results of ordinance amendments in Planning and Development Department staff reports.

The County continues to evaluate alternatives when proposing any ordinance amendments. The County initiates the formation of committees, when appropriate, to advise on proposed Ordinance amendments.

Policy 10.5: Study the impact of school fees on housing affordability.

With passage of Proposition 46, the Housing and Emergency Shelter Trust Fund Act of 2002, \$47.5 million has been provided for the School Facility Fee Down Payment Assistance Program. The School Facility Fee Down Payment Assistance Program is a grant program that assists

buyers of newly constructed homes throughout California. Eligible applicants will receive either a partial or full rebate of the school facility fees paid by the builder, depending on which program they qualify for. The assistance can be used as a down payment, closing costs, or any costs associated with the buyer's first mortgage loan, subject to acceptance by the mortgage lender or the mortgage insurer. Program #1 affects "economically Distressed Areas". Tulare County is an eligible County under this program with a participant qualifying with a maximum sales limit of \$203,215. Program #2 is for "First-time Homebuyers" with moderate-income limits. In Tulare County for a one-person home, the maximum income is \$32,950. For four people, the maximum income limit is \$47,050, and for eight persons, the maximum income limit is \$62,100.

Programs:

- 10.51 A complete study now in progress to evaluate the impact of school fees and develop recommendations to the Board of Supervisors to reduce the impact on low income households, encourage greater uniformity of fees, and correct existing inequities (e.g., charging fees for rebuilding units destroyed by fire, for senior citizen housing projects, etc).**

Individual school districts are now fully responsible for the implementation of school fees because of AB 2926. The County has no discretion on the matter.

- 10.52 Encourage school districts to pursue tax measures such as the one approved by the City of Tulare, which balances costs between new and existing residents, and all other alternatives prior to requesting the Board of Supervisors to impose school impact fees.**

Individual school districts are now fully responsible for the implementation of school fees because of AB 2926. Because of the recent State constitutional amendment, the voter threshold for school construction bonds has been lowered from two-thirds to 55%.

- 10.53 Investigate methods to reduce, provide for extended payment periods, and/or subsidize school impact fees for households below the poverty level.**

Flexible payment schedules are possible, but only at the discretion of the school district.

Policy 10.6: Continue present efforts to standardize County development requirements.

Programs:

- 10.61 Continue to amend the Zoning Ordinance, as appropriate to include written standards for permits for which no written standards currently exist, in order to reduce the number of discretionary permits.**

The County has amended the Zoning Ordinance to include authorization for administrative use permits subject to certain written standards for each type of permit.

- 10.62 Develop informational brochures with diagrams to promote better understanding of County development standards.**

The County has developed a series of informational brochures with diagrams to promote a better understanding of County development standards. The County publishes such documents as: General Plan Elements, House and Road Numbering Systems, Building Line Setback Requirements, and Dwelling House Requirements.

Policy 10.7: Support the use of Community Development Block Grant and other grant funds for rehabilitation and site development for lower income housing.

Program:

- 10.71 Require the execution of a rental agreement to restrict rental increases to an agreed-upon percentage for all rental units rehabilitated by publicly funded housing rehabilitation programs.**

Since 1984, all owner-investor recipients of CDBG funding for housing rehabilitation have been required to enter into Rental Agreements with the County.

Policy 11.1: Actively seek to discourage housing discrimination based upon race, religion, sex, marital status, ancestry, national origin or color.

Program:

- 11.11 Disseminate information on fair housing laws and refer inquiries regarding housing discrimination to the Fresno district office of the Department of Fair Employment and Housing and Tulare-Kings Counties Legal Services.**

The County continues to disseminate information on fair housing laws and refers inquiries regarding housing discrimination to the Fresno district office of the Department of Fair Employment and Housing, and to Tulare-Kings Counties Legal Services.

Policy 12.1: Encourage Federal and State governments to increase the level of funding for improvements or expansion of sewer and water facilities serving unincorporated communities.

Program:

- 12.11 Meet with Federal and State officials on a regular basis to review grant program status and to advocate higher placement on priority funding lists for Tulare County Communities.**

Staff regularly attends public meetings and training sessions on programs, which will benefit Tulare County communities. The RMA communicates with the County Executive Office and is apprised of legislative action, which has impact on the County.

Policy 12.2: Complete the formation of a County Service Area encompassing the entire unincorporated area, which can provide community services on a demand basis.

Programs:

- 12.21 Implement the County Service Area as a vehicle for maintaining privately developed public facilities for new subdivisions in unincorporated communities.**

County Service Areas have been established for infrastructure and fire protection related services. In the future, additional services may be provided upon approval by the Local Agency Formation Commission and the Board of Supervisors.

- 12.22 Utilize the County Service Area as a vehicle to maintain new public facilities in unincorporated communities.**

Two County Service Areas have been established for infrastructure and fire protection related services. In the future, additional services may be provided upon approval by the Local Agency Formation Commission and the Board of Supervisors.

12.23 Through the County Service Area, issue 1911 and 1915 Act bonds and utilize 1913 Act assessments for improvements in unincorporated communities.

No occasion to utilize this opportunity has arisen. Under Proposition 118, new assessments cannot be implemented without approval of the voters. For example, a water system was suggested in Sierra King, but was not implemented because a vote would be required.

Policy 12.3: Develop up-to-date information regarding community sewer and water needs.

Program:

12.31 Identify target areas for public infrastructure assistance, based on a countywide needs assessment, housing condition surveys, and other relevant information.

As a result, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, LAFCO is required by 2006 to prepare reviews of municipal service providers in all special districts in the County. In the next several years, CD&R division will also apply for CDBG planning grant funds for eligible activities such as the following:

- Assessment of water needs in unincorporated communities such as Alpaugh & Richgrove
- Storm water drainage master plan for Ivanhoe
- Test wells for Lemon Cove and Fairway Tract

Policy 12.4: Assure that all new housing within the urban areas of the unincorporated communities is either: (1) served by community water and/or sewer, or (2) that soil conditions permit safe treatment of liquid waste by septic task systems.

Programs:

12.41 Continue to regulate and monitor the installation of septic systems to assure public health and safety.

The County continues to regulate and monitor the installation of septic systems and to assure public health and safety.

12.42 Encourage utilization of the County Service Area for maintenance of new community facilities, and utilization of homeowners associations for appropriate maintenance responsibilities such as security, landscaping, recreation and common area maintenance.

Two County Service Areas have been established for infrastructure and fire protection related services. In the future, additional services may be provided upon approval by the Local Agency Formation Commission and the Board of Supervisors. Refer to projects identified in Program 12.21.

Policy 12.5: Provide technical assistance to public utility districts and community services districts.

Programs:

12.51 Continue existing County efforts to:

- ◆ Provide data and other information to identify the needs for sewer and water facilities
- ◆ Submit grant applications
- ◆ Review and process grant applications
- ◆ Administer grants provided by Federal and State governments
- ◆ Recover County costs incurred

Sewer & water system upgrades in process or in planning stages include:

- ◆ Traver – Sewer & water systems upgrades
- ◆ Goshen Camp Drive Water Main Upgrade
- ◆ Goshen – SWR capacity needs study

Storm water drainage projects in the planning stages include:

- ◆ Earlimart
- ◆ Poplar-Cotton Center
- ◆ Richgrove

12.52 Identify overlapping or inconsistent public facility standards and seek to eliminate duplication, unless the County determines that more stringent standards are necessary for public health and safety.

This program is accomplished through the preparation and update of community plans.

Policy 12.6: Continue to use Community Development Block Grants and other available funds to install and upgrade public facilities within existing unincorporated communities.

Program:

12.61 In target communities, use redevelopment authority along with other funds and tools as a means to subsidize public improvements.

This program is being accomplished through the utilization of CDBG, Redevelopment tax increment, Clean Water, and Safe Drinking Water Grants.

Policy 12.7: Coordinate capital improvement programs for street construction, paving, and the replacement of substandard sewer and water lines with programs for housing rehabilitation.

Program:

12.71 Coordinate community development and capital improvement programs through designation of target areas.

Areas are targeted for public facilities installations and upgrades based upon need and potential for funding. Redevelopment funds are available to assist the following current project areas of the Tulare County Redevelopment Agency: Cutler/Orosi, Earlimart, Goshen, Pixley, Poplar-Cotton Center, Richgrove, and Traver.

Policy 12.8: With regard to improvement requirements, assure that a balance is achieved between housing needs and public protection, and that requirements are necessary for protection of public health and safety.

Program:

- 12.81 Examine and, where appropriate, update improvement standards to distinguish between different types of roads, based upon purpose and function.**

Development standards for roads will be reviewed during update of the General Plan Circulation Element in Fiscal Year 2003-04.

Policy 12.9: Assure that improvement fees are applied in an equitable manner.

Program:

- 12.91 For new improvements which serve both new and existing residents, and over which the County has fee-setting authority, balance new charges and assessments between new and existing residents.**

Impact fees are not currently charged to new development. During the 2025 General Plan process, impact fees will be further assessed. State regulations have been enacted through AB 1600.

Policy 13.1: Encourage subdivision and housing unit design, which provides for a reasonable level of safety and security.

Program:

- 13.11 Research designs, which promote safety and security and incorporate these approaches into County standards and review practices.**

Safety and security design considerations have been incorporated into County review practices.

Policy 13.2: Place greater emphasis upon enforcement of the Health and Safety Code.

Program:

- 13.21 Investigate the feasibility of inspecting residential lots and citing property owners in violation of health standards on a systematic basis.**

The County continues to inspect residential lots and cites property owners in violation of health standards on a systematic basis.

Policy 13.3: Continue to ensure the quality and livability of residential neighborhoods.

Program:

13.31 Develop and adopt County mobile home park standards for site design, including densities, lot area, setbacks, parking, landscaping, fencing, street widths, recreation, and lighting.

Standards for mobile home parks will be included in the zoning ordinance update project to follow the General Plan update.

Policy 13.4: Discourage the construction of residential units in areas with high noise levels, or require that adverse noise levels be mitigated.

Program:

13.41 Continue to implement provisions of the California Environmental Quality Act and the Noise Element of the Tulare County General Plan, with regard to new residential development.

The County continues to implement provisions of the California Environmental Quality Act and the Noise Element of the Tulare County General Plan with regard to new residential development in noise impact areas.

Policy 13.5: Support locally initiated programs to provide neighborhood parks and recreational facilities for residential areas within existing unincorporated communities.

Program:

13.51 Encourage unincorporated communities and special districts to apply for State Park Bond funds for parks and recreation.

The Community Development Division monitors grant advisory publications and advises interested parties of any opportunity.

CHAPTER VI HOUSING PROGRAM

This chapter sets forth the goals, objectives, policies and programs designed to address housing issues within the unincorporated area of Tulare County, as identified in previous chapters. Definitions of a goal, objective, policy, and program are provided below.

- ◆ A goal represents a long-term desired state of affairs.
- ◆ An objective is similar to a goal in that it represents a desired state of affairs, but it is more narrowly defined as an intermediate result, which must be achieved to reach the goal. State law provides that housing elements must contain quantified objectives, which specify the maximum actual numbers of housing units that can be constructed, rehabilitated and conserved during the planning period.
- ◆ A policy defines a specific action or process, which must be undertaken to achieve the objective.
- ◆ A program specifies the procedures, which implement the policy. Listed under each program are the agency or agencies responsible for implementation and the time frame in which each program is proposed to be commenced and/or completed.

For purposes of its housing planning and programming efforts, the State of California has adopted the following broad Statewide housing goal:

To assure to all Californians the opportunity to obtain safe, adequate housing in a suitable living environment.

Tulare County both subscribes to this goal and obtains direction from it in formulating its own goals. Additionally, HCD has established the following four primary goals:

- ◆ The provision of new housing
- ◆ The preservation of existing housing and neighborhoods
- ◆ The reduction of housing costs
- ◆ The improvement of housing conditions for special needs groups

Quantified Housing Objectives

Housing objectives for the Tulare County unincorporated area have been identified to meet projected housing needs in Tulare County. A list of the programs, responsible

agencies and the estimated number of households is provided in Table 6-1. Descriptions of existing housing programs are presented in more detail in Chapter V.

TABLE 6-1

**QUANTIFIED HOUSING OBJECTIVES
Tulare County Unincorporated Area
January 1, 2001 through July 1, 2008**

Unit Type/Description	# of Units	Very Low	Low	Moderate	Above Moderate
NEW CONSTRUCTION					
Market Rate					
Single Family	1234	0	2	202	1030
Multiple Family	61	61	0	0	0
Mobile Homes	142	142	0	0	0
<i>Subtotal Market Rate</i>	1437	203	2	202	1030
Single Family Affordable/Assisted					
Redevelopment Agency	0	0	0		
HOME	0	0	0		
USDA	413	188	225		
Tax Credits	0	0	0		
<i>Subtotal SF Affordable/Assisted</i>	413	188	225	0	0
Multiple Family Affordable Projects					
Redevelopment Agency	0	0	0		
CDBG Housing Loan Fund	0	0	0		
HOME	0	0	0		
State Farmworker Housing Grant (Current)	50	50			
State Farmworker Housing Grant (Future)	150	150			
Self Help Rental Units	200	125	75		
<i>Subtotal MF Affordable/Assisted</i>	400	325	75	0	0
TOTAL	2250	716	302	202	1030
RHNA	2250	716	302	202	1030
ACQUISITION					
First Time Homebuyers - HOME	25	2	23		
First Time Homebuyers - CDBG	0	0	0		
TOTAL	25	2	23	0	0

TABLE 6-1 (Continued)

QUANTIFIED HOUSING OBJECTIVES Tulare County Unincorporated Area January 1, 2001 through July 1, 2008					
Unit Type/Description	# of Units	Very Low	Low	Moderate	Above Moderate
REHABILITATION					
CDBG					
CDBG Housing Rehabilitation Program	35	5	30		
Subtotal CDBG	35	5	30	0	0
Redevelopment Agency Rehabilitation Programs					
Redevelopment Low- Moderate-Income Housing Fund (LMIHF)	25	4	21		
Subtotal RDA Rehab Programs	25	4	21	0	0
HOME Rehabilitation					
HOME Housing Rehabilitation Program	25	4	21		
HOME CHDO	10	Unknown	Unknown		
Subtotal HOME Rehab Programs	35	4	21	0	0
Other					
Cal HOME Owner-Occupied Emergency	35	3	17		
USDA Single-Family	263	Unknown	Unknown		
State Farmworker Housing Grant	80	80	0		
Housing Preservation Grant	5	5	0		
Comprehensive Grant Program (HUD)	105	Unknown	Unknown		
Purchase/Rehab./Resale – CV Housing	10	Unknown	Unknown		
Subtotal Other Rehab.	483	13	17		
TOTAL	578	26	89	0	0
PRESERVATION					
None	0	0	0		
Subtotal Preservation	0	0	0		
TOTAL	0	0	0	0	0
ASSISTANCE					
Housing Authority Section 8 Voucher	300	300			
Homeless Programs	Unknown	Unknown			
Subtotal Assistance	300	300			
TOTAL	300	300	0	0	0
WEATHERIZATION					
CSET	180	Unknown	Unknown		
Self Help Enterprises	Unknown	Unknown	Unknown		
So Cal Edison	Unknown	Unknown	Unknown		
So Cal Gas	Unknown	Unknown	Unknown		
PG&E	Unknown	Unknown	Unknown		
TOTAL	180	Unknown	Unknown	0	0

The County of Tulare's housing programs have a variety of public and private funding sources. Some are administered by County's Community Development & Redevelopment Division and the Tulare County Redevelopment Agency (TCRA), which are described in Chapter V of this element. TCRA Low- and Moderate Income Housing (LMIH) Funds, otherwise known as the "housing set-aside" are most often used to supplement CDBG, HOME, CalHome and other grant funds, and provide leverage that makes grant applications more competitive. Housing rehabilitation is the activity most often supported with LMIH funds, although new construction is a possible activity for the future. LMIH funds are rarely used outside the redevelopment project areas of Cutler-Orosi, Earlimart, Goshen, Ivanhoe, Pixley, Poplar-Cotton Center, Richgrove and Traver, although HOME, CDBG and CalHome funds have assisted low income households throughout the county's unincorporated areas.

Table 6-2 offers estimates of the redevelopment agency's LMIH set-aside revenue projections during the 2003-2008 planning period, along with descriptions of proposed uses and/or programs.

TABLE 6-2

**TCRA LOW- AND MODERATE INCOME HOUSING (LMIH) FUND –
SET-ASIDE REVENUE PROJECTIONS
2003 through 2008**

TCRA Project Area	Proposed Programs	2003	2004	2005	2006	2007	2008
Earlimart	Rehab	55,736	57,129	58,558	60,022	61,522	63,060
Ivanhoe	Rehab	13,776	14,120	14,473	14,835	15,206	15,586
Pixley	Rehab	17,170	17,599	18,039	18,490	18,952	19,426
Goshen	Rehab, New Constr.	131,620	134,911	138,283	141,740	145,284	148,916
Cutler-Orosi	Rehab, New Constr.	123,330	126,413	129,574	132,813	136,133	139,537
Poplar-Cotton Ctr.	Rehab	18,641	19,107	19,585	20,074	20,576	21,091
Traver	Rehab	31,555	32,344	33,152	33,981	34,831	35,702
Richgrove	Rehab	46,685	47,852	49,048	50,275	51,532	52,820

Rehabilitation Programs, 2001-2008

Rehabilitation of existing housing units in unincorporated portions of Tulare County will be provided through several programs administered by several agencies.

♦ CDBG Housing Rehabilitation Program

Responsible Agency: Tulare County Resource Management Agency (RMA)
Households to Receive Assistance: 35

♦ HOME Housing Rehabilitation Program

Responsible Agency: RMA
Households to Receive Assistance: 25

♦ HOME Community Housing Development Organization (CHDO)

Responsible Agency: Local non-profit CHDO organizations
Households to Receive Assistance: 10

♦ Cal HOME Owner Occupied Emergency Home Repair Program

Responsible Agency: RMA
Households to Receive Assistance: 20

♦ Tulare County Redevelopment Agency Rehabilitation Program Low and Moderate Income Housing Fund Set-aside

Responsible Agency: Tulare County Redevelopment Agency
Households to Receive Assistance: 25

♦ Joe Serna Jr. State Farmworker Housing Grant

Responsible Agency: RMA
Households to Receive Assistance: 5

♦ Rural Housing Service Housing Preservation Grant

Responsible Agency: Non Profit Housing Organizations
Households to Receive Assistance: 5

◆ Comprehensive Grant Program (HUD)

Responsible Agency:

Households to Receive Assistance:

Tulare County Housing Authority

105 units or \$75,000 per year is available through Federal Fiscal Year 2007-08 (the funds may be eliminated within the next 5 years)

◆ USDA Housing Programs

The USDA expects to provide for repairs to approximately 263 single-family homes between January 1, 2001 and July 1, 2008.

Responsible Agency:

Households to Receive Assistance:

USDA

263 single-family units between January 1, 2001 and July 2008.

Rental Assistance, 2001-2008

◆ Section 8 Rental Assistance Voucher Program

Responsible Agency:

Households to Receive Assistance:

Tulare County Housing Authority

300 units or \$1.5 million per year at \$5,000 per unit through Fiscal Year 2007-08 (Funding for this program may be reduced or eliminated)

Weatherization Program, 2001-2008

◆ The Gas Company Weatherization Program

Responsible Agency:

Households to Receive Assistance:

Southern California Gas Company c/o CSET

Pacific Gas & Electric Company c/o Proteus

Southern California Edison

Winegard Energy, Inc.

Dependant upon available funding

New Construction, 2001-2008

◆ State Farm Worker Housing Grant

<i>Responsible Agency:</i>	Tulare County Housing Authority
<i>Households to Receive Assistance:</i>	50 units under construction in Poplar for this special needs group. Additional 150 units in other communities

◆ New Rental Units

<i>Responsible Agency:</i>	Self Help Enterprises
<i>Households to Receive Assistance:</i>	200

◆ Tax Credits

<i>Responsible agency:</i>	Tulare County Housing Authority & Non-Profit Agencies
<i>Households to Receive Assistance:</i>	Unknown through Fiscal Year 2007-08

First Time Homebuyers, 2001-2008

◆ CDBG Grants

<i>Responsible Agency:</i>	RMA
<i>Households to Receive Assistance:</i>	0

◆ HOME Program (Acquisition)

<i>Responsible Agency:</i>	RMA
<i>Households to Receive Assistance:</i>	25

Proposition 46 - Housing and Emergency Shelter Trust Fund Act of 2002

Proposition 46 creates trust fund to: provide shelters for battered women; clean and safe housing for low-income senior citizens; emergency shelters for homeless families with children; housing with social services for homeless and mentally ill; repairs/accessibility improvements to apartments for families and handicapped citizens; military veteran homeownership assistance; and security improvements/repairs to existing emergency shelters. Specifically, the bond program will:

- ◆ Fund by bond issue two billion one hundred million dollars (\$2,100,000,000) Statewide

- ◆ Make cities and counties eligible to receive specified funds
- ◆ Subject expenditures to independent audit
- ◆ Appropriate money from the State General Fund to repay bonds

Tulare County will gain from the passage of this Proposition over the 2001 through 2008 time frame, if some issues are resolved, namely providing activity delivery funding through the grants or supplementary funding.

USDA Housing Programs

According to the local regional office of the USDA in Visalia, the single-family and multiple-family housing programs will continue to be implemented throughout the unincorporated areas of Tulare County through July 2008. The single-family program is expected to provide an additional 413 new housing units. There are no new multi-family units expected to be built under the multiple-family program within the unincorporated area. The USDA also expects to provide for repairs to approximately 263 single-family homes during that same time frame.

<i>Responsible Agency:</i>	USDA
<i>Households to Receive Assistance:</i>	413 single-family units between January 1, 2001 and July 1, 2008.

Purchase/Rehabilitation/Resale Program

<i>Responsible Agency:</i>	Non profit agencies
<i>Households to Receive Assistance:</i>	10 units funded through the State HOME Program through Federal Fiscal Year 2007-08

Housing for the Homeless, 2001-2008

Continuum of Care

<i>Responsible Agency:</i>	Tulare & Kings County Continuum of Care
<i>Households to Receive Assistance:</i>	Funding is provided for several shelters in the County.

CSET is also interested in staffing the HUD Continuum of Care consortium in Tulare and Kings Counties to address homelessness. They also provide eviction prevention and rental assistance.

Multiple Family Units At Risk Of Losing Rental Subsidies

The following sections provide an analysis of multiple-family units currently receiving subsidies through various programs. Based upon the information provided, it has been concluded that there are no units at-risk of losing government subsidies between 2002 and 2012.

HUD Programs

- ◆ Section 8 Lower-Income Rental Assistance Project Based Programs:
 - New construction and substantial or moderate rehabilitation
 - Identification of potential at-risk tenants of Section 8 Project-Based Rental Assistance Program projects
 - All projects that are under a Section 8 Project-Based Rental Assistance Program are not scheduled to expire within the 10-year period

- ◆ Community Development Block Grant Program (CDBG):

Although CDBG funds have been used on a limited basis for multiple-family rental rehabilitation, infrastructure, and other uses, persons that are responsible for this program have indicated that there are no affected units at risk because all projects have been assisted with 15-year, no/low interest loans, amortized beyond the ten-year analysis period.

- ◆ HOME Program

CalHFA (formerly CHFA Assistance Program)

CHFA assistance programs provide for multiple-family preservation in conjunction with the tax credit program.

- ◆ CDBG Grants

<i>Responsible Agency:</i>	RMA
<i>Households to Receive Assistance:</i>	0

The County, working with local housing agencies such as the County Housing Authority, identifies units, which for various reasons may lose subsidies over the next ten (10) years.

Goals

The following local housing goals, objectives, policies and programs are consistent with State policy objectives, as required by State law.

Summary Goal

Attainment of a suitable, affordable environment for every present and future resident in the unincorporated area of Tulare County, regardless of race, age, religion, sex, marital status, ethnic background, source of income or personal handicaps.

GOAL 1: Attainment of a suitable and sound home, within a reasonable distance of the individual's place of employment.

Limits of Housing Element Programs

The ability of the County to carry out programs, which provide or improve housing, will continue to depend on the availability of Federal and State grants and local funds. The availability of County funds and staff, as well as County priorities, will obviously determine the ultimate implementation date of each program. No program in the Element is intended to commit the County to expend unavailable resources. In addition to the contingency on County resources, implementation of all programs is subject to a current trade-off analysis that considers social, economic and environmental impacts.

Summary of Progress

Table 6-3 provides a synopsis and schedule of the Policies and Programs to be carried out by the affected agencies between January 1, 2001 and July 1, 2008.

TABLE 6-3

PROPOSED SCHEDULE - TULARE COUNTY HOUSING ELEMENT							
POLICIES AND PROGRAMS							
	YEARS						
	3	4	5	6	7	8	
POLICY 1.1 - Encourage Construction of Housing for Special Needs Groups							
PROGRAM 1.11 - Coordinate with the Housing Authority & Non-Profit Organizations to Pursue Rental Housing for Large Families							
PROGRAM 1.12 - Develop Criteria for Housing Sites and Develop Incentives for the Provision of Large Family Housing							
POLICY 1.2 - Encourage Federal and State Governments to Expand and Adequately Fund Housing Programs							
PROGRAM 1.21 - Continue to have the Community Development & Redevelopment Division Serve as a Housing Advocate and Liaison							
PROGRAM 1.22 - Provide Information on Housing Programs to Local Builders and Developers Consistent with State Affirmative Action Requirements							
POLICY 1.3 - Encourage Cooperation Between Private Housing Providers and the Public Sector							
PROGRAM 1.31 - Utilize an Informal Public/Private Sector Committee to Review Housing Needs							
POLICY 1.4 - Encourage Fair Geographic Distribution of New Housing							
PROGRAM 1.41 - Develop a Uniform Tracking System of all Categories of all New Housing Units							
PROGRAM 1.42 - Incorporate Findings of the 2002 Regional Housing Needs Plan							
POLICY 1.5 - Continue to Encourage Provision of New Modular, Prefabricated, & Manufactured Housing Units							
PROGRAM 1.51 - Continue Zoning Practices that provide for Modular, Prefabricated, and Manufactured Homes in Residentially Zones.							
POLICY 1.6 - Annually Review Governmental Procedures & Fees							
PROGRAM 1.61 - Seek Advice from Public and Private Sector Advocates to Review County Permit Processing							
PROGRAM 1.62 - Continue to Seek Public Input Regarding New Fees or Changes to Existing Fees							
POLICY 1.7 - Encourage the Construction of a Broad Range of Housing Types							
PROGRAM 1.71 - Continue to Issue Home Mortgage Revenue Bonds and Investigate Bonds for Rental Housing							
POLICY 2.1 - Develop Incentives to Facilitate Rehabilitation of Substandard Housing							
PROGRAM 2.11 - Enforce State Law which Eliminates State Tax Deductions for Depreciation for Substandard Units							
PROGRAM 2.12 - Address Substandard Housing through Target Area Code Enforcement and Improvement Efforts							
PROGRAM 2.13 - Reduce, Subsidize, or Waive Fees for Rehabilitation of Housing							
POLICY 2.2 - Seek Federal, State and Other Funding for the Rehabilitation of Substandard Housing							
PROGRAM 2.21 - Determine Whether Additional Grants can be Sought Other than CDBG and HOME							
PROGRAM 2.22 - Leverage Federal and State Grants with TCRA Set-aside Funding to Obtain Additional Grant Funding.							
PROGRAM 2.23 - Rehabilitate 105 Owner and Renter Housing Units through HUD							
POLICY 2.3 - Seek Assistance of Nonprofit Housing Providers in Undertaking Housing Rehabilitation Programs							
PROGRAM 2.31 - Continue a Close Liaison with Non Profit Organizations that Contract with the County to Implement Housing Programs							
POLICY 2.4 - Use Federal & State Funds for First-Time Homebuyer/Acquisition Program							
PROGRAM 2.41 - Offer Low-Income Households Mortgage/Closing Cost Assistance Through the First Time Homebuyer Programs							
POLICY 3.1 - Establish Incentives to Maintain Existing Housing Stock							
PROGRAM 3.11 - Support Property Maintenance Programs							
PROGRAM 3.12 - Support Applications for Federal, State and Other Grant Funds to Conserve Existing Housing and Upgrade Community Facilities							
PROGRAM 3.13 - Actively Seek Grants through CDBG, HOME and Other Grants to Maintain and Upgrade Existing Housing							
PROGRAM 3.14 - Administer and Enforce the Employee Housing Act							
POLICY 3.2 - Promote Tenant Responsibility for Conservation of the Existing Housing Stock							
PROGRAM 3.21 - Continue Existing Homeowner Education & Training Programs, which Include Home Maintenance and Budgeting for First-time Homebuyers							
POLICY 3.3 - Enhance Existing Neighborhoods by Requiring the Maintenance of Properties							
PROGRAM 3.31 - Ensure Sound Housing Through Building Division Efforts and Enforcement of the Uniform Building Code							
PROGRAM 3.32 - Continue to Administer the Substandard Abatement Program							
POLICY 4.1 - Encourage the Development of Replacement Housing when not Otherwise Required by Statute							
PROGRAM 4.11 - Continue Housing Authority Practice, Giving Displaced Individuals Priority in its Public Housing Activities							
PROGRAM 4.12 - Target Demolition Efforts to Areas with New Affordable Housing when it is Scheduled to be Constructed							
POLICY 4.2 - Develop Incentives for Demolition of Dilapidated Housing							
PROGRAM 4.21 - Continue the Collection of Reasonable Demolition Permit Fees							
PROGRAM 4.22 - Determine the Feasibility of Using High Density Zoning as an Incentive for the Removal and Replacement of Dilapidated Housing							
PROGRAM 4.23 - Set CDBG & HOME Funding Limits to Cover Costs of Demolition							
POLICY 4.3 - Develop a Receivership Program for Substandard Housing							
PROGRAM 4.31 - Determine Feasibility of a Receivership Program where Vacant Substandard Housing is Placed in Receivership Versus Demolished							
POLICY 5.1 - Promote "In-Fill" Within Urban Boundaries of Unincorporated Communities							
PROGRAM 5.11 - Review the Zoning of "In-Fill" Vacant Lands							
POLICY 5.2 - Implement Community Plans which Designate Sites for Residential Development							
PROGRAM 5.21 - Approve Subdivisions and Divisions of Land for Housing Development							
PROGRAM 5.22 - Allow Multi-family Residential Projects or Mixed-use Developments in Commercial Zone Districts							

TABLE 6-3 (Continued)

PROPOSED SCHEDULE - TULARE COUNTY HOUSING ELEMENT							
POLICIES AND PROGRAMS							
	YEARS						
	3	4	5	6	7	8	
POLICY 5.3 - Assure a Proper Balance Between the Needs of Housing and Agriculture							
PROGRAM 5.31 - Implement the Animal Confinement Facilities Plan							
POLICY 5.4 - Prepare and Update Community Plans to Provide Adequate Sites for Housing							
PROGRAM 5.41 - Review Existing Community Plans and Zoning to Assure Adequate Residentially-Designated Sites							
PROGRAM 5.42 - Streamline Environmental Assessments on Individual Housing Projects by Tiering from Community Plan EIRs							
PROGRAM 5.43 - Review and Revise the Urban Boundaries of Unincorporated Communities							
POLICY 5.5 - Streamline Regulations in Areas Designated for Development							
PROGRAM 5.51 - Streamline the Site Plan Review Process							
POLICY 6.1 - Address Unique Group Quarters Housing Needs and Develop a Liaison with Public/Private Representatives							
PROGRAM 6.11 - Identify and Quantify the Need for Group Quarters Housing for Special Needs Groups							
POLICY 6.2 - Encourage the Construction and Rehabilitation of Senior Citizen Housing							
PROGRAM 6.21 - Cooperate to Expand Housing Opportunities							
PROGRAM 6.22 - Review the Zoning Ordinance to Determine Unnecessary Constraints							
POLICY 7.1 - Determine Source of Employees when Locating Agricultural Industry in Rural Areas							
PROGRAM 7.11 - Incorporate Trip Generation Information into Reports/Environmental Assessments for New/Expanded Industrial Development							
POLICY 7.2 - Continue to Support and Coordinate with Local Economic Development Programs							
PROGRAM 7.21 - Encourage the EDC to give Consideration to Promote Housing Opportunities							
POLICY 8.1 - Conduct a Housing Condition Survey in the Unincorporated Area At Least Every Five Years							
PROGRAM 8.11 - Conduct a Housing Condition Survey at Least Every Five (5) Years							
POLICY 8.2 - Improve Record-Keeping Regarding Rehabilitation of Housing Units							
PROGRAM 8.21 - Establish a Procedure to Distinguish Between Permits for Nonsubstantial and Substantial Rehabilitation of Housing Units							
POLICY 8.3 - Continue to Keep Records Regarding to the Demolition of Housing Units							
PROGRAM 8.31 - The RMA Building Division Will Keep Track of Demolitions Using the Automated Permit Process							
POLICY 8.4 - Coordinate Building Permit Records with Incorporated Cities							
PROGRAM 8.41 - Establish Arrangements with Incorporated Cities to Obtain Weekly or Monthly Summaries of Building Permits							
POLICY 8.5 - Streamline Access to Building Records							
PROGRAM 8.51 - Prepare a Monthly Summary of Residential Building Permits							
PROGRAM 8.52 - Produce Housing Reports which Identify Community Needs							
POLICY 9.1 - Assure that County Codes and Ordinances Promote Energy Conservation							
PROGRAM 9.11 - Enforce and Streamline State Residential Energy Standards							
PROGRAM 9.12 - Enforce the Subdivision Map Act							
PROGRAM 9.13 - Promote Energy Conservation by Providing Information about Utility Company Weatherization Programs							
POLICY 10.1 - Encourage the Federal/State Government to Maintain and Increase Housing Assistance							
PROGRAM 10.11 - Identify Target Areas for Public Housing Assistance							
POLICY 10.2 - Work with Public/Private Nonprofit Agencies to Encourage Purchase of Undeveloped Sites (Land Banking)							
PROGRAM 10.21 - Make Excess Land Available for Affordable Housing							
PROGRAM 10.22 - Continue the Use of Long-term Housing Affordability Covenants to Preserve Housing Affordability for Projects							
POLICY 10.3 - Improve Housing Affordability by Utilizing Density Bonus Incentives							
PROGRAM 10.31 - Continue Efforts to Amend Zoning And Subdivision Ordinances to Allow Higher Densities							
PROGRAM 10.32 - Implement the Density Bonus Ordinance							
POLICY 10.4 - Improve Understanding of Housing Issues							
PROGRAM 10.41 - Make Developers, Builders and the Public Aware of Housing Program Changes							
PROGRAM 10.42 - Prepare Annual Reports							
PROGRAM 10.43 - Include Analysis of Housing Issues and Results of Ordinance Amendments							
PROGRAM 10.44 - Encourage County Staff to Attend Training to Increase Their Understanding of Housing Issues.							
POLICY 10.5 - Study the Impact of School Fees on Housing Affordability							
PROGRAM 10.51 - Work with School Districts to Pursue Financial Measures Consistent with State Law							
Households							
POLICY 10.6 - Continue Efforts to Standardize County Development Requirements							
PROGRAM 10.61 - Establish Written Standards for Administrative Use Permits							
PROGRAM 10.62 - Develop Informational Brochures in English and Spanish							
POLICY 10.7 - Support the Use of Federal and State Grant Funds for Site Development of Lower Income Housing							
PROGRAM 10.71 - Require the Execution of a Rent Limitation Agreement to Restrict Rent Increases for Low-Income Tenants							

TABLE 6-3 (Continued)

PROPOSED SCHEDULE - TULARE COUNTY HOUSING ELEMENT							
POLICIES AND PROGRAMS							
	YEARS						
	3	4	5	6	7	8	
POLICY 11.1 - Discourage Housing Discrimination							
PROGRAM 11.11 - Make Available, Information at the County Government Center, using Brochures from State and Federal Agencies							
PROGRAM 11.12 - Display Fair Housing Posters in County Government & Housing Program Managers Offices, Rental Projects, & at Project Sites							
PROGRAM 11.13 - Display Fair Housing Logos on All Marketing Materials							
PROGRAM 11.14 - Include EEO Language in Employment Advertisements, Construction Bid Solicitations and Requests for Proposal							
POLICY 12.1 - Encourage Federal/State Governments to Increase Funding for Public Infrastructure							
PROGRAM 12.11 - Meet with Federal/State Officials to Review Grant Program Status							
POLICY 12.2 - Investigate Options for Financing Provision of Community Services							
PROGRAM 12.21 - Utilize the Benefit Assessment Districts, County Service Areas, and Other Entities to Maintain Privately Developed Public Facilities							
PROGRAM 12.22 - Utilize the Benefit Assessment Districts and/or County Service Areas to Maintain New Public Facilities							
PROGRAM 12.23 - Utilize 1911 and 1915 Act Bonds and Utilize 1913 Act Assessments							
POLICY 12.3 - Develop Information Regarding Community Sewer and Water Needs							
PROGRAM 12.31 - Identify Target Areas for Public Infrastructure Assistance							
POLICY 12.4 - Assure New Housing is Served by Community Services or Physical Conditions Permit Safe Treatment							
PROGRAM 12.41 - Where Community Sewer Systems are not Available, Regulate/Monitor Septic System Installation to Assure Public Health and Safety							
PROGRAM 12.42 - Encourage Utilization of Benefit Assessment Districts, County Service Areas, or Other Entities for Maintenance of New Community Facilities							
POLICY 12.5 - Provide Technical Assistance to Utility and Community Services Districts							
PROGRAM 12.51 - Provide Data, Submit Grant Applications, Review Process Grant Applications, Administer Grants and Recover County Costs							
PROGRAM 12.52 - Review Non-compliance Issues							
POLICY 12.6 - Continue to Use Federal and State Grant Funds to Install/Upgrade Public Facilities							
PROGRAM 12.61 - In Redevelopment Areas, Utilize Redevelopment Agency Funds to Leverage Other Funds to Subsidize Public Improvements							
POLICY 12.7 - Coordinate Capital Improvement Programs for Public Infrastructure Projects for Housing Rehabilitation							
PROGRAM 12.71 - Coordinate Community Development and Capital Improvement Programs							
POLICY 12.8 - Assure that a Balance is Achieved Between Housing Needs and Public Protection							
PROGRAM 12.81 - Examine and Update Improvement Standards							
POLICY 12.9 - Assure that Improvement Fees are Applied in and Equitable Manner							
PROGRAM 12.91 - Balance New Charges and Assessments Between New and Existing Residents							
POLICY 13.1 - Encourage Subdivision and Housing Unit Design which Provides for Safety and Security							
PROGRAM 13.11 - Research Designs which Promote Safety and Security							
POLICY 13.2 - Place Greater Emphasis Upon Enforcement of the Health and Safety Code							
PROGRAM 13.21 - Investigate the Feasibility of Inspecting Lots/Citing Property Owners							
POLICY 13.3 - Discourage Construction of Residential Units in Areas with High Noise Levels							
PROGRAM 13.31 - Implement Provisions of CEQA and the Noise Element							
POLICY 13.4 - Support Programs to Provide Parks/Recreational Facilities for Residential Areas within Communities							
PROGRAM 13.41 - Actively Seek Federal, State, and Private Grant Funds for Park and Recreation Facilities							
POLICY 14.1 - Provide Housing Assistance to Farmworkers in Tulare County							
PROGRAM 14.11 - Apply for Farmworker Housing Grants for Sites in the Tulare County Unincorporated Area							
POLICY 14.2 - Determine the Needs for Group Quarters (Farm Labor) Housing							
PROGRAM 14.21 - Identify and Quantify Need for Farmworker Group Quarters Housing							
POLICY 14.3 - Identify, Remove and Replace 75 Substandard Farmworker Housing Units by 2008							
PROGRAM 14.31 - Address Substandard Housing through Administration and Enforcement of the Employee Housing Act Program							
PROGRAM 14.32 - Encourage State and Federal Funding for Farmworker Housing							
PROGRAM 14.33 - Investigate Grants and Loan Programs for Farm Labor Housing							
PROGRAM 14.34 - Work with Farmers to Encourage more Private Development of Farm Labor Housing							
POLICY 14.4 - Assure Provision of Housing Opportunities for Farm-Related Employment							
PROGRAM 14.41 - Assure that Adequate Provision for Housing is Made in Agricultural Areas							
POLICY 15.1 - Assist in the Development of Additional Emergency, Transitional, and Permanent Housing for the Homeless							
PROGRAM 15.11 - Participate in the Continuum of Care Housing Program							
PROGRAM 15.12 - Identify Locations within the County where Transitional Shelters and Other Homeless Facilities are Needed							
POLICY 16.1 - Research the Housing Needs of Populations in the County							
PROGRAM 16.11 - Research the Housing Needs of Special Needs Groups							
PROGRAM 16.12 - Research Feasibility of Adopting a Reasonable Accommodation Ordinance							
PROGRAM 16.13 - Coordinate with the Center for Independent Living and Other Providers to Work Through Housing Constraints							

OBJECTIVE 1: Production of new housing units within urban areas of unincorporated communities, and within foothill development corridors to house the total number of households expected to reside in Tulare County by July 1, 2008. Construction of 2,250 new housing units in the Tulare County unincorporated area by July 1, 2008, including, 1,280 Owner-occupied units and 970 renter-occupied units. Based upon the data presented in this Housing Element, the needs are further categorized by type of unit including 1,800 single family dwellings, 113 multiple family units, 293 mobile homes and 44 other housing development types.

Policy 1.1: *Encourage the construction of new housing units for "special needs" groups, including senior citizens, large families, single heads of households, households of persons with physical and/or mental disabilities, minorities, farm laborers, and the homeless.*

Programs:

- 1.11 Coordinate with the Housing Authority and non-profit housing organizations to pursue development of rental housing for large families, as well as providing for other housing needs and types.

Responsible Agency: RMA

Time Frame: Immediate and ongoing through 07/08

- 1.12 Develop criteria for sites appropriate for large family rental housing and identify such sites; develop incentives for this type of development such as density bonuses, other tradeoffs (such as revised development standards), and development agreements. Amend the Zoning Ordinance to incorporate these criteria.

Responsible Agency: RMA

Time Frame: The Density Bonus Ordinance will be completed by the end of 2004; however, the Zoning Ordinance and Community Plans amendments will have to wait until completion of the General Plan 2025 Update sometime in mid 2005.

Policy 1.2: *Encourage Federal and State governments to expand and adequately fund housing programs for very low, low and moderate-income households, to stimulate mortgage financing for such programs, and to revise program requirements that preclude certain programs from being utilized.*

Programs:

- 1.21 Continue to have the Community Development and Redevelopment Division (CD&R) serve as a housing advocate and liaison with State and Federal housing agencies at workshops, stakeholder forums, grant monitoring, and application evaluations.

Responsible Agencies: RMA: CD&R

Time Frame: Ongoing through 07/08

- 1.22 Provide information to local builders and developers regarding available housing programs, consistent with state affirmative action requirements, through County website, advertisements (for housing program administrator requests for proposal and for construction bids), through informational brochures in Spanish and English at County Permits counter, through presentations at community and redevelopment area meetings.

Responsible Agency: RMA

Time Frame: Ongoing through 07/08

Policy 1.3: *Encourage cooperation between private housing providers and the public sector to direct private resources to areas where housing needs are not being met.*

Program:

- 1.31 Utilize an informal public/private sector committee (at the discretion of the Director) to meet periodically to review housing needs and opportunities.

Responsible Agency: RMA

Time Frame: Periodically at the discretion of the Director through 07/08

Policy 1.4: *Encourage the fair geographic distribution of new housing units to meet the needs of "special needs" groups.*

Programs:

- 1.41 Develop a uniform tracking system of all categories of new housing units (low income, very low income, and special needs) in cooperation with other interested agencies such as the Building Industry Association, the Tulare County Association of Governments (TCAG), and cities.

Responsible Agency: RMA

Time Frame: Ongoing through 07/08

- 1.42 Incorporate the findings of the 2002 Regional Housing Needs Determination Plan prepared by the Tulare County Association of Governments in the Housing Element Update.

Responsible Agency: RMA

Time Frame: 2003

Policy 1.5: *Continue to permit, as part of the total new construction effort, the utilization by developers of modular units, prefabricated units and manufactured homes.*

Program:

- 1.51 Continue current zoning practices, which provide for the use of modular units, prefabricated units and manufactured homes in residentially zoned areas.

Responsible Agency: RMA

Time Frame: Ongoing through 07/08

Policy 1.6: *Annually review governmental procedures and fees for processing applications, inspections, environmental review, building permits and developmental services so that such procedures and fees will not inhibit housing development.*

Programs:

- 1.61 Seek advice through a Construction Advisory Committee from private and public sector advocates such as local agencies, non-profit organizations, contractors and developers, to review County, zoning ordinance, development standards, permit processing and make suggestions for streamlining. In performing this task, the RMA will:
- ◆ Compare County permit processing costs and time required to issue such permits with other San Joaquin Valley Counties and the cities in the County
 - ◆ Seek technical assistance from the State Office of Permit Assistance
 - ◆ Review the list of ministerial and discretionary projects to determine whether more residential projects could be handled at an administrative level
 - ◆ Consider using such techniques as tiering off community plans EIRs, addendum environmental studies and program EIRs to streamline residential project approvals
 - ◆ Meet with the Construction Advisory Committee to review recommendations bi-annually
 - ◆ Schedule a public hearing with the Board of Supervisors to review and approve changes to the procedures and fees
 - ◆ Process the requisite zoning ordinance and amendments and revised permit processing procedures by 2006

Responsible Agency: RMA: Building Division

Time Frame: The Construction Advisory Committee will be formed by the summer of 2004 and bi-annually. Zoning changes are to be completed by 2006 and reviewed annually with private sector advisors as needed and at the discretion of the Director.

- 1.62 Continue the present practice of seeking public input whenever proposals are made to establish new fees or increase existing fees.

Responsible Agency: RMA

Time Frame: Annually through 07/08 as part of the budget preparation process

Policy 1.7: *Encourage the construction of a broad range of housing types to provide an opportunity of choice in the local housing market.*

Program:

- 1.71 Continue to issue home mortgage revenue bonds when feasible, and investigate the feasibility of issuing bonds for multiple family rental housing.

Responsible Agencies: Board of Supervisors
RMA
Private Developers

Time Frame: Annual assessment of needs and the feasibility of issuing bonds

OBJECTIVE 2: **Rehabilitate approximately 578 deteriorated housing units by 2008 using private and housing grant funds.**

Policy 2.1: *Develop incentives to facilitate the rehabilitation of subsidized housing.*

Programs:

- 2.11 Enforce State law, which eliminates State tax deductions for depreciation for landlords with substandard rentals.

Responsible Agencies: RMA

Time Frame: Ongoing County practice through 07/08

- 2.12 Address substandard housing through designation of target areas for concentration of code enforcement, Substandard Housing Abatement Program, housing rehabilitation and community facility improvement efforts.

Responsible Agency: RMA

Time Frame: Ongoing County practice through 07/08

- 2.13 Reduce, subsidize or waive building permit fees for the rehabilitation of deteriorated housing units, which are

assisted with, grant funds such as Community Development Block Grants, HOME grants, and Redevelopment's Housing Rehab Home Programs.

Responsible Agencies: Board of Supervisors
RMA

Time Frame: Ongoing County practice through 07/08

Policy 2.2: *Seek Federal, State and other funding for the rehabilitation of substandard housing.*

Programs:

- 2.21 Determine whether additional grants can be sought other than the County's Community Development Block Grant and HOME grant programs.

Responsible Agency: RMA, TCRA & CD&R

Time Frame: Ongoing County practice through 07/08

- 2.22 Leverage federal and State grants with Tulare County Redevelopment Agency set-aside funding to obtain additional grant funding.

Responsible Agency: RMA/CD&R

Time Frame: Ongoing County practice through 07/08

- 2.23 Rehabilitate 105 renter housing units receiving low-rent public housing subsidies through a Comprehensive Grant program (HUD). The County Housing Authority will administer the grant.

Responsible Agency: Tulare County Housing Authority

Time Frame: Fiscal Years 03-04 through 07-08

Policy 2.3: *Seek the assistance of nonprofit housing providers in undertaking housing rehabilitation programs.*

Program:

- 2.31 Continue a close liaison between Tulare County and non-profit housing organizations able to contract with County to implement housing programs and assist in achieving the goals of the County.

Responsible Agency: RMA

Time Frame: Ongoing County practice through 07/08

Policy 2.4:

Use Federal and State grant funds for County's first-time homebuyer/acquisition program, with or without rehabilitation.

Program:

- 2.41 Offer low-income households mortgage subsidy and closing cost assistance through the County's first time homebuyer programs.

Responsible Agency: RMA

Time Frame: Ongoing County practice through 07/08

OBJECTIVE 3:

Encourage conservation of existing sound housing units to assure that the total number of deteriorated housing units is no greater in 2008 than it was in 2001.

Policy 3.1:

Establish incentives to maintain the existing housing stock in good condition.

Programs:

- 3.11 Support property maintenance programs in order to enhance private efforts at housing conservation.

Responsible Agency: RMA

Time Frame: Ongoing County practice through 07/08

- 3.12 Support applications from cities and non-profit organizations for Federal and State grant funds and other appropriate funding sources to conserve existing sound housing units

and upgrade public facilities to assure adequate affordable housing stock.

Responsible Agency: RMA

Time Frame: Ongoing County practice through 07/08

- 3.13 Actively seek grants through CBDG in the spring, Home and Cal each fall and other grants when they become available help maintain and upgrade the existing housing stock. Promotional materials are available for these programs in English and Spanish.

Responsible Agency: RMA: CD&R

Time Frame: CBDG funds are applied for in the spring, Home and Cal Home funds are applied for in the fall, and for other grants, when they become available as practicable.

- 3.14 Administer and enforce the Employee Housing Act, assuring that identified employee housing facilities are inspected annually and repairs made as necessary.

Responsible Agencies: RMA

Time Frame: Ongoing County practice through 07/08

Policy 3.2: *Promote tenant responsibility toward conservation of the existing housing stock.*

Program:

- 3.21 Continue existing education and training programs, which include home maintenance and budgeting, for first-time homebuyers, for tenants of federally assisted housing and for low income homeowners who are assisted with County housing funds.

Responsible Agencies: Housing Authority
Non-Profit Housing Organizations

Time Frame: Ongoing County practice through
07/08

Policy 3.3: *Enhance the quality of existing residential neighborhoods by requiring residents and landowners to maintain their properties in good condition.*

Programs:

- 3.31 Ensure that currently sound housing is maintained through efforts of the Building Division and enforcement of the Uniform Building and Housing Code.

Responsible Agencies: RMA

Time Frame: Ongoing County practice through
07/08

- 3.32 Continue to administer the Substandard Abatement Program to abate substandard conditions in residential rental units.

Responsible Agencies: RMA

Time Frame: Ongoing County practice through
07/08

OBJECTIVE 4: **Demolition of 765 dilapidated housing units by 2008.**

Policy 4.1: *When occupied housing units are demolished due to public action, encourage the development of suitable replacement housing when not otherwise required by statute.*

Programs:

- 4.11 Continue Housing Authority practice giving displaced individuals priority in its public housing activities.

Responsible Agencies: RMA
Housing Authority

Time Frame: Ongoing County practice through
07/08

- 4.12 Target demolition efforts to areas with new affordable housing when it is scheduled to be constructed.

Responsible Agencies: RMA
Non-Profit Housing Organizations
and the Housing Authority

Time Frame: Ongoing County practice through
07/08

Policy 4.2: *Develop incentives for the demolition of dilapidated housing units.*

Programs:

- 4.21 Continue the collection of reasonable demolition permit fees for demolition of dilapidated housing units.

Responsible Agencies: RMA

Time Frame: Annually consider fee proposals
as part of the County budget
preparation process

- 4.22 Determine the feasibility of using high density zoning as an incentive for the removal and replacement of dilapidated housing.

Responsible Agency: RMA

Time Frame: 2006 - Evaluate in conjunction
the General Plan 2025 Update,
Community Plans and rezoning
studies

- 4.23 Continue the practice of setting CDBG & HOME funding limits high enough to cover costs of demolition plus reconstruction of dilapidated homes of low income and very low-income households and any necessary related temporary relocation.

Responsible Agencies: RMA

Time Frame: Ongoing County practice through
07/08

Policy 4.3: *Develop a receivership program for substandard housing.*

Program:

- 4.31 Determine the feasibility of a Receivership Program where vacant substandard housing is placed in receivership versus being demolished and determine if it would be a viable program.

Responsible Agencies: Code Enforcement,
Building Division

Time Frame: Fiscal Year 2006-07

OBJECTIVE 5: **Provision of adequate sites for 2,250 housing units by 2008, including 1,800 single family dwellings, 113 multiple family units, 293 mobile homes and 44 other housing development types.**

Policy 5.1: *Promote "infill" development within urban boundaries of unincorporated communities.*

Program:

- 5.11 Review the zoning of "infill" vacant lands in unincorporated communities to insure that present zoning is not impeding their development. Currently Community and Redevelopment is designing a model infill study in the Community of Goshen through the use of a CBDG planning and technical assistance grant. The study will be used as a model for other unincorporated communities.

Responsible Agency: RMA

Time Frame: The Model Infill Study will be completed by FY 04/05 and will be reviewed in conjunction with community plans and rezoning studies, and with planning and technical assistance grant(s) from CBDG

Policy 5.2: *Implement adopted community plans, which designate adequate sites for residential development.*

Programs:

5.21 Approve subdivisions and divisions of land for housing development when such proposals are consistent with adopted plans.

Responsible Agencies: Board of Supervisors
Planning Commission

Time Frame: Ongoing County practice through 07/08

5.22 Allow multi-family residential projects or mixed-use developments in commercial zone districts in the Urban Development Boundaries of unincorporated communities where it can be shown that other General Plan Goals such as the provision of affordable housing, are achieved.

Responsible Agencies: RMA

Time Frame: Ongoing County practice through 07/08

Policy 5.3: *Assure a proper balance between the needs of housing and agriculture.*

Program:

5.31 Implement the Animal Confinement Facilities Plan, which prohibits potentially incompatible agricultural uses (e.g., feedlots or dairies) near concentrations of dwelling units.

Responsible Agencies: RMA: Project Review Division

Time Frame: Ongoing County practice through 07/08

Policy 5.4: *Prepare and continue to update community plans to provide adequate sites for all types of housing within urban boundaries of unincorporated communities, and zone such sites consistent with community plans.*

Programs:

- 5.41 Systematically review existing community plans and zoning to assure that community plans provide adequate residentially designated sites.

Responsible Agency: RMA: Countywide Planning Division

Time Frame: Community Plans include policies that require updates of the plan every five years. In addition, the Annual Reports required by Government Code Section 65400 may include a status report on those updates

- 5.42 Streamline environmental assessments on individual housing projects by tiering off community plan EIRs.

Responsible Agency: RMA: Project Review Division

Time Frame: Ongoing County practice through 07/08

- 5.43 Review and revise, where appropriate, the urban boundaries of unincorporated communities to accommodate housing sites.

Responsible Agencies: TCAG
RMA: Countywide Planning Division

Time Frame: The Urban Boundaries Element of the Tulare County General Plan currently requires that urban boundaries be updated every five years. A comprehensive review of the Urban Boundaries Element is part of the General Plan 2025 Update, which is scheduled for adoption in FY 05/06

Policy 5.5: *Streamline regulations in areas designated for development.*

Program:

5.51 Streamline the Site Plan review process by implementing a ministerial review process for minor projects or projects with less than 10 housing units.

Responsible Agencies: RMA: Project Review Division

Time Frame: By Fiscal Year 2005-06

OBJECTIVE 6: **Production of new group quarters housing units.**

Policy 6.1: *Address unique group quarters housing needs of special needs groups and develop a liaison with public/private sector representatives.*

Program:

6.11 Identify and quantify the need for group quarters housing for special needs groups.

Responsible Agency: RMA
Continuum of Care and Health
and Human Services
Administration (HHSA)

Time Frame: Ongoing County practice through
07/08

Policy 6.2: *Encourage the construction and rehabilitation of senior citizen group quarters housing, convalescent homes and other continuous care facilities.*

Programs:

6.21 Cooperate to expand new housing opportunities through on-going discussion with housing providers.

Responsible Agencies: Health and Human Services
RMA Code Enforcement
Housing Authority
Non-Profit Housing Organizations

Time Frame: Ongoing County practice through 07/08

- 6.22 Review the Zoning Ordinance to determine whether existing regulations place unnecessary constraints on the development of convalescent homes and other continuous care facilities, with emphasis on the need for an administrative special use permit.

Responsible Agencies: RMA

Time Frame: Fiscal Year 2005-06

OBJECTIVE 7: **Assure that new housing and employment opportunities are within a reasonable distance of each other.**

Policy 7.1: *When locating agricultural industry in rural areas, a determination should be made that an employment base exists within a reasonable distance of the site.*

Program:

- 7.11 Incorporate information regarding trip generation and distribution into staff reports or environmental assessments for new or expanded industrial development.

Responsible Agency: RMA: Project Review Division

Time Frame: Ongoing County practice through 07/08

Policy 7.2: *Continue to support and coordinate closely with local economic development programs.*

Program:

- 7.21 Encourage the Tulare County Economic Development Corporation (EDC) to give consideration to housing opportunities in Tulare County to promote the concept of a "jobs to housing balance" when promoting business and industry opportunities in Tulare County, such as the current joint effort by EDC and TCRA at the annual Agricultural show to encourage businesses to locate here in Tulare

County and the micro business enterprise, which assists small businesses within the County.

Responsible Agencies: RMA: TCRA
EDC

Time Frame: Annually meet with EDC representatives

OBJECTIVE 8: Improve the adequacy and accessibility of County housing records in order to quantify progress in meeting housing needs.

Policy 8.1: *Conduct a housing condition survey of the unincorporated area as necessary or at least every five (5) years.*

Program:

8.11 Conduct a housing conditions survey of the unincorporated area as necessary or at least every five (5) years.

Responsible Agencies: RMA: CD&R

Time Frame: Fiscal Year 06/07

Policy 8.2: *Improve record keeping with regard to minor rehabilitation of housing units.*

Program:

8.21 Establish a procedure to make a distinction between permits for non-substantial and substantial rehabilitation of housing units to enable a more accurate assessment of housing condition.

Responsible Agencies: RMA: Building Division

Time Frame: Fiscal Year 2005-06

Policy 8.3: *Continue to keep records regarding the demolition of housing units.*

Program:

8.31 The RMA Building Division should keep track of demolitions using the automated permit process.

Responsible Agencies: RMA: Building Division

Time Frame: Ongoing through Fiscal Year
2007-08

Policy 8.4: *Coordinate building permit records with incorporated cities in Tulare County.*

Program:

8.41 Establish arrangements with incorporated cities in Tulare County to obtain, on a regular basis, either weekly or monthly summaries of the following types of building permits, by date, street address and census tract to enable tabulation of the change in housing units on a countywide basis:

- ◆ Housing unit construction
- ◆ Housing unit demolition or removal
- ◆ Housing unit relocation, including address of previous location
- ◆ Housing units lost by fire

Responsible Agencies: TCAG
RMA: Building Division

Time Frame: By Fiscal Year 2007-08

Policy 8.5: *Streamline access to building records to permit an accurate tabulation of housing unit change through which housing, household and population estimates can be made for any given date.*

Programs:

8.51 Prepare a monthly summary of residential building permits which would include, by street address, census tract, nearest community, and, where multiple units are concerned, both the number of structures and the number of units in each structure, the following types of permits:

- ◆ New construction of single family units
- ◆ New construction of multiple family units
- ◆ Mobile homes installations
- ◆ Mobile home removals
- ◆ Demolition of single family units

- ◆ Demolition of multiple family units
- ◆ Relocated units, including address of previous locations
- ◆ Rehabilitation of single and multiple family units
- ◆ Redevelopment area summaries

Responsible Agency: RMA: Building Division

Time Frame: Ongoing County practice through 07/08

- 8.52 Produce periodic housing reports, which identify community needs and provide information on housing starts, sales prices and other housing activity.

Responsible Agencies: RMA
TCAG
Boards of Realtors

Time Frame: Ongoing County practice through 07/08

OBJECTIVE 9: Provide increased opportunities for residential energy conservation.

Policy 9.1: *Assure that County codes and ordinances promote residential energy conservation.*

Programs:

- 9.11 Enforce and streamline implementation of the State Residential Energy Standards.

Responsible Agency: RMA: Building Division

Time Frame: Ongoing County practice through 07/08

- 9.12 Enforce the provisions of the Subdivision Map Act regulating energy-efficient subdivision design.

Responsible Agency: RMA: Project Review Division

Time Frame: Ongoing County practice through 07/08

- 9.13 Promote energy conservation by providing information about utility company weatherization programs to County Housing program managers, applicants and participants.

Responsible Agency: RMA

Time Frame: Ongoing County practice through 07/08

GOAL II: Attainment of an affordable home that meets the economic and social needs of every present and future resident of the Tulare County unincorporated area.

OBJECTIVE 10: Improve opportunities for affordable housing.

Policy 10.1: *Encourage Federal and State governments to maintain and increase housing assistance to lower income households.*

Program:

- 10.11 Identify target areas for public housing assistance, based on a countywide needs assessment, housing condition surveys, and other relevant information.

Responsible Agency: RMA: CD&R
Housing Authority

Time Frame: Ongoing County practice through 07/08

Policy 10.2: *Work with public and private nonprofit agencies to encourage purchase of appropriate undeveloped sites (land banking) for future sale to developers who would agree to build a percentage of the total units for lower income households, and to assure the availability of affordable sites for public housing.*

Programs:

- 10.21 In compliance with Government Code Section 54220, when land is purchased by the County in conjunction with installation of new public facilities, make any excess land available for sale by housing agencies to accommodate affordable housing including mixed-use and infill housing developments.

Responsible Agency: RMA: Property Management

Time Frame: Ongoing County practice through 07/08

- 10.22 Continue the use of long-term housing affordability covenants to preserve housing affordability for projects.

Responsible Agency: RMA
Housing Authority
Non-Profit Housing Organizations

Time Frame: Ongoing County practice through 07/08

Policy 10.3: *Improve housing affordability by utilizing density bonuses, zero lot lines, second units, smaller lot sizes, or cluster development, in return for construction of a percentage of total units for lower-income households.*

Programs:

- 10.31 Continue efforts to amend the Zoning and Subdivision Ordinances to allow higher densities, zero lot line developments and other, more flexible, zoning provisions such as the administrative approval of second units required by AB 1866 (2002).

Responsible Agencies: Board of Supervisors
RMA

Time Frame: By Fiscal Year 2003-04

- 10.32 Implement the Density Bonus Ordinance consistent with State Density Bonus Law.

Responsible Agencies: Board of Supervisors
RMA: Countywide Planning Division

Time Frame: By Fiscal Year 2003-04

Policy 10.4: *Improve the understanding of housing issues at both staff and decision-making levels.*

Programs:

- 10.41 Make developers, builders and the public aware of housing issues or changes in housing law, which have been made or are under consideration and increase the County's public relations efforts.

Responsible Agency: RMA: Permits Counter and Building Division

Time Frame: Ongoing County practice through 07/08

- 10.42 Preparation of annual reports, which enumerate new ordinances and policy and standard revisions undertaken during the previous year and review of accomplishments.

Responsible Agency: RMA: Permits Counter and Building Division

Time Frame: Ongoing County practice through 07/08

- 10.43 Include a more detailed analysis of housing issues and likely results of ordinance amendments in RMA staff reports.

Responsible Agencies: RMA: Project Review

Time Frame: Ongoing County practice through 07/08

- 10.44 Encourage County staff to attend training offered by HCD, the California Redevelopment Association, and others to increase their understanding of housing issues.

Responsible Agency: RMA

Time Frame: Ongoing County practice through 07/08

Policy 10.5: *Study the impact of school fees on housing affordability.*

Programs:

10.51 Work with school districts to pursue financial measures consistent with State law, which balance costs between new and existing residents, and to consider all other alternatives prior to imposing or increasing school impact fees.

Responsible Agencies: Board of Supervisors
 RMA
 Non-Profit Organizations
 School Districts

Time Frame: Ongoing County practice through
 07/08

10.52 Investigate methods to reduce, provide for extended payment periods, and/or subsidize school impact fees for very-low income households.

Responsible Agencies: RMA
 Non-Profit Organizations
 School Districts

Time Frame: Ongoing County practice through
 07/08

Policy 10.6: *Continue present efforts to standardize County development requirements.*

Programs:

10.61 Establish written standards for administrative use permits in order to reduce the number of discretionary permits.

Responsible Agency: RMA: Project Review and
 Countywide Planning

Time Frame: Ongoing County practice through
 07/08 or within the first round of
 proposed changes in FY 03-04

10.62 Develop informational brochures English and Spanish with diagrams to promote better understanding of County development standards.

Responsible Agencies: RMA: Building Division
RMA: Permit Center

Time Frame: By 2006

Policy 10.7: *Support the use of Federal and State grant funds for site development for lower income housing.*

Program:

10.71 Require the execution of a rent limitation agreement to restrict rent increases to an agreed percentage for low-income tenants of all rental units rehabilitated by publicly funded housing rehabilitation programs for a minimum of five (5) years, or as long as funding agencies require.

Responsible Agency: RMA: CD&R

Time Frame: Ongoing County practice through 07/08

GOAL III: **The early attainment of a satisfying residential environment with adequate public and private services and facilities.**

OBJECTIVE 11: **Promote equal housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, family status, disability, or any other arbitrary basis.**

Policy 11.1: *Actively discourage housing discrimination based upon race, religion, sex, marital status, ancestry, national origin, family status, disability or other factors.*

Programs:

11.11 Make available, information at the County Government Center within the CD&R using Spanish and English brochures from State and Federal agencies on fair housing laws, and refer inquiries regarding housing discrimination to the Fresno district office of the Department of Fair

Employment and Housing and Tulare-Kings Counties Legal Services.

Responsible Agency: RMA: CD&R

Time Frame: Ongoing County practice through 07/08

- 11.12 Prominently display fair housing posters in offices of County government, housing program managers, rental projects, and at project sites.

Responsible Agency: RMA: CD&R
Housing Authority
Non-Profit Housing Organizations

Time Frame: Ongoing County practice through 07/08

- 11.13 Display fair housing logos on all marketing materials, specifically Section 504 of the Rehabilitation Act of 1973, and ensure efficient communication with disabled housing applicants.

Responsible Agency: RMA: CD&R
Housing Authority
Non-Profit Housing Organizations

Time Frame: Ongoing County practice through 07/08

- 11.14 Include equal employment opportunity language in employment advertisements, construction bid solicitations and requests for proposal.

Responsible Agency: RMA: CD&R
Housing Authority
Non-Profit Housing Organizations
Human Resource and Development

Time Frame: Ongoing County practice through 07/08

OBJECTIVE 12: Promote the provision of adequate public facilities and services to meet the Year 2008 total new construction needs.

Policy 12.1: *Encourage Federal and State governments to increase the level of funding for improvements or expansion of public infrastructure serving unincorporated communities.*

Program:

12.11 Meet with Federal and State officials and local service providers on a regular basis to review grant program status and to advocate higher placement on priority funding lists for Tulare County Communities.

Responsible Agencies: RMA: CD&R
HHSA: Environmental Health

Time Frame: Annually through 07/08

Policy 12.2: *Investigate options for financing provision of community services on a demand basis.*

Programs:

12.21 Utilize benefit assessment districts, County Service Areas, and other similar entities to maintain privately developed public facilities in new subdivisions in unincorporated communities.

Responsible Agency: Board of Supervisors
RMA

Time Frame: Ongoing County practice through 07/08

12.22 Utilize benefit assessment districts and/or the County Service Area as a vehicle to maintain new public facilities in unincorporated communities.

Responsible Agencies: Board of Supervisors
RMA: CD&R

Time Frame: Ongoing County practice through 07/08

- 12.23 Through the County Service Area, issue 1911 and 1915 Act bonds and utilize 1913 Act assessments for improvements in unincorporated communities provided that voters approve one assessment, as required under Proposition 118.

Responsible Agencies: Board of Supervisors
RMA

Time Frame: Ongoing County practice through
07/08

Policy 12.3: *Develop up-to-date information regarding community infrastructure needs.*

Program:

- 12.31 Identify target areas for public infrastructure assistance, through community needs assessments, housing condition surveys, redevelopment implementation plans and amendments, community plans and other relevant information.

Responsible Agency: RMA

Time Frame: Ongoing County practice through
07/08

Policy 12.4: *Assure that all new housing within the urban areas of unincorporated communities is either (1) served by community water and sewer, or (2) that physical conditions permit safe treatment of liquid waste by septic tank systems and the use of private wells.*

Programs:

- 12.41 Where community sewer systems are not available, regulate and monitor installation of septic systems to assure public health and safety.

Responsible Agency: HHSA: Environmental Health

Time Frame: Ongoing County practice through
07/08

12.42 Encourage utilization of benefit assessment districts, the County Service Areas, or other similar entities for maintenance of new community facilities, and utilization of homeowners associations for appropriate maintenance responsibilities such as security, landscaping, recreation and common area maintenance.

Responsible Agency: RMA: Project Review
RMA: Building Division

Time Frame: Ongoing County practice through 07/08

Policy 12.5: *Provide technical assistance to public utility districts and community services districts.*

Programs:

12.51 Continue existing efforts whenever feasible to (1) provide data and other information to identify the needs for public infrastructure; (2) submit grant applications on behalf of the districts; and (3) administer grants provided by Federal and State governments.

Responsible Agencies: RMA: CD&R

Time Frame: Ongoing County practice through 07/08

12.52 Review non-compliance issues through technical assistance with public facilities for inconsistencies with public health and safety standards.

Responsible Agencies: RMA
HHSA – Environmental Health

Time Frame: Ongoing through the preparation of community plans and rezoning studies through 07/08

Policy 12.6: *Continue to use Federal and State grant funds and other available funds to install and upgrade public facilities within existing unincorporated communities.*

Program:

12.61 In redevelopment areas, use Redevelopment Agency funds to leverage other funds and resources as a means to subsidize public improvements.

Responsible Agencies: RMA
TCRA

Time Frame: Ongoing County practice through 07/08

Policy 12.7:

Coordinate capital improvement programs for public infrastructure projects with programs for housing rehabilitation.

Program:

12.71 Coordinate community development and capital improvement programs through designation of target areas.

Responsible Agencies: RMA

Time Frame: Ongoing County practice through 07/08

Policy 12.8:

With regard to improvement requirements, assure that a balance is achieved between housing needs and public protection, and that requirements are necessary for protection of public health and safety.

Program:

12.81 Examine and, where appropriate, update improvement standards to distinguish between different types of improvements, based upon purpose and function.

Responsible Agencies: RMA
HHSA
Fire Department
Non-Profit Housing Organizations

Time Frame: Ongoing County practice through 07/08

Policy 12.9: *Assure that improvement fees are applied in an equitable manner.*

Program:

12.91 For new improvements which serve both new and existing residents, and over which the County has fee-setting authority, balance new charges and assessments between new and existing residents.

Responsible Agency: Board of Supervisors
RMA

Time Frame: To be addressed whenever new impact fees and service charges are under consideration

OBJECTIVE 13: **Protect the public health and safety and assure a satisfying residential environment.**

Policy 13.1: *Encourage subdivision and housing unit design, which provides for a reasonable level of safety and security.*

Program:

13.11 Research designs, including smart growth concepts, which promote safety and security, and incorporate these approaches into County standards and review practices.

Responsible Agency: RMA

Time Frame: Ongoing County practice through 07/08

Policy 13.2: *Place greater emphasis upon enforcement of the Health and Safety Code.*

Program:

13.21 Inspect residential lots and cite property owners in violation of health standards on a systematic basis.

Responsible Agency: HHSA – Environmental Health

Time Frame: Ongoing County practice through 07/08

Policy 13.3: *Discourage construction of residential units in areas with high noise levels, or require that adverse noise levels be mitigated.*

Program:

13.31 Implement the provisions of the California Environmental Quality Act and the Noise Element of the Tulare County General Plan, with regard to new residential development.

Responsible Agencies: RMA: Project Review

Time Frame: Ongoing County practice through 07/08

Policy 13.4: *Support locally initiated programs to provide neighborhood parks and recreational facilities for residential areas within existing unincorporated communities.*

Program:

13.41 Actively seek Federal, State, and private foundation grant funds for park and recreation facilities in unincorporated areas, including dual-use storm drainage ponding basins/recreation parks.

Responsible Agencies: RMA: Parks Division
RMA: CD&R

Time Frame: Ongoing County practice through 07/08

GOAL IV: **Address the housing needs of migrant and non-migrant farmworkers in Tulare County.**

OBJECTIVE 14: **Encourage the construction of 200 year-round housing units for farmworkers in the unincorporated area by 2008.**

Policy 14.1: *Provide housing assistance to farmworkers in Tulare County.*

Program:

14.11 Apply for farmworker housing grants for sites in the Tulare County unincorporated area.

Responsible Agencies: Housing Authority
Non-Profit Housing Organizations
RMA: CD&R

Time Frame: Ongoing County practice through
07/08

Policy 14.2: *Determine the needs for group quarters (in particular, farm labor housing) and place an emphasis on meeting that need, if warranted.*

Program:

14.21 Identify and quantify the need for group quarters housing for farmworkers as part of the employee housing program, which is used to ensure that persons living in operated employee housing facilities are provided with a living environment that complies with the state of California health and Safety Requirements. Informational brochures about the program are provided at the permit County.

Responsible Agencies: RMA : Code Enforcement Div.

Time Frame: By fiscal Year 2006

Policy 14.3: *Identify, remove and replace 75 substandard farmworker housing units by 2008.*

Programs:

14.31 Continue to address substandard farmworker housing, through the administration and enforcement of the Employee Housing Act Program.

Responsible Agency: RMA: Code Enforcement Div.
Project Review

Time Frame: Ongoing County practice through
07/08

14.32 Encourage State and Federal funding for farmworker housing; actively seek funding for projects of this type and coordinate with farming advocates to encourage more private development of farm labor housing.

Responsible Agencies: Housing Authority
RMA
Non-Profit Housing Organizations

Time Frame: Meet with Public/Private Sector Representatives a minimum of twice a year, and as conditions warrant the number of meetings can be increased at the discretion of the Director

- 14.33 Investigate grant and loan programs not currently utilized, as well as private investors, to increase efforts for development of farm labor housing.

Responsible Agencies: RMA: CD&R
Housing Authority
Non-Profit Housing Organizations

Time Frame: Ongoing County practice through 07/08

- 14.34 Work with farmers to encourage more private development of farm labor housing.

Responsible Agency: RMA

Time Frame: Meet with farm employers and the agricultural industry a minimum of twice a year, and as conditions warrant the number of meetings can be increased at the discretion of the Director

Policy 14.4: *Assure the provision of housing opportunities for farm-related employment within agricultural areas.*

Program:

- 14.41 Review the Zoning Ordinance and existing zoning and amend to assure that adequate provisions are made for farm related housing opportunities in agricultural areas.

Responsible Agency: RMA: Project Review

Time Frame: Fiscal Year 2006/07 or after the
County's General Plan Update

GOAL V: Promote and enhance homeless/emergency shelter programs
in Tulare County.

OBJECTIVE 15: Provide housing assistance to homeless/emergency shelter
providers within the County.

Policy 15.1: *Assist in the development of additional emergency, transitional and
permanent supportive housing for homeless persons and families.*

Programs:

15.11 Participate in the Continuum of Care Housing Program.

Responsible Agencies: Housing Authority
Non-Profit Housing Organizations
RMA: CD&R

Time Frame: Ongoing County practice through
07/08

15.12 Identify locations within the County where transitional
shelters and other homeless facilities are needed.

Responsible Agencies: Housing Authority
Non-Profit Housing Organizations
RMA: CD&R

Time Frame: Current County practice through
07/08

OBJECTIVE 16: Research housing needs of special populations.

Policy 16.1: *Research the special housing needs of populations in the County.*

Programs:

- 16.11 Research the special housing needs of populations in the County such as teenage parents and their children, persons with chronic diseases, people with physical or mental disabilities, etc.

Responsible Agencies: HHSA

Time Frame: By Fiscal Year 2006/07

- 16.12 Research feasibility of adopting a reasonable accommodation ordinance, to include but not be limited to wheel chair ramps, writing specific exceptions into the ordinance. Until such time as the analysis is complete, require the use of an ADA compliance checklist to be developed as part of the Site Plan Review Committee process for housing projects, use Section 15 page 29 (L) General Exceptions, and Zoning variances with fees waived at the discretion of the Planning Director to comply with reasonable accommodation for disabled persons, their family and friends.

Responsible Agencies: RMA

Time Frame: By fiscal Year 2005

- 16.13 Should any constraints become known to the County, the County working through the Zoning Administrator, will contact the "Center for Independent Living" the "Kings and Tulare Area Agency on Aging" or other ADA provider to work through these constraints.

Responsible Agencies: RMA Zoning Administrator

Time Frame: Immediate and Ongoing

CHAPTER VII PUBLIC PARTICIPATION

Public Involvement Program

Staff initiated the citizen participation process through discussions with the 2002-03 Housing Element Advisory Committee. This committee was appointed by the Resource Management Agency (RMA) and represented a diverse group of individuals and organizations that are concerned with housing issues. The Housing Advisory Committee was composed of representatives of the County Housing Authority and non-profit housing providers and advocates who represent lower-income households within the County. The Committee meetings were not posted on the County WEB site; however, they will be posted in the future. Comments received from this committee were integrated into the Final Housing Element.

The RMA staff has also carried on a dialogue with business, civic and citizen groups during the preparation of the Housing Element draft. Meetings were held to discuss the document and review comments and recommendations of various community groups. Some comment was received via telephone conversations. The groups representing the business sector of the community included: the Building Industry Association, Self-Help Enterprises, Central Valley Christian (CVC) Housing Development Corporation, and Continuum of Care. The civic and citizen groups included representatives from the Tulare County Housing Authority, the Tulare County Association of Governments, various divisions of the RMA, the County Department of Social Services, and other interested agencies and housing providers.

To provide opportunity for public review and comment on the Draft Housing Element, a Workshop was held on June 25, 2003 at the RMA offices. The Workshop was legally noticed in the Visalia Times Delta and other newspapers of general circulation within the County. The notices were not prepared in both English and Spanish and were not posted on the County's WEB site; but will be in the future. The Workshop involved review of the Draft Housing Element and provided an opportunity for the public and affected agencies to inquire and comment on proposed programs contained in the Element. Comments received during the Workshop were incorporated into the Final Housing Element, which was forwarded to the Planning Commission and Board of Supervisors for review and approval. Public hearings at these meetings were conducted and properly noticed as stated above. The RMA has also identified the need for an annual workshop to review the progress of Housing Element.

Through the environmental review process, many groups and agencies were given the opportunity to review and comment on the Draft Housing Element. Further, the document was publicly noticed before the Tulare County Planning Commission and the Board of

Supervisors. All noticing was in both English and in Spanish in the various newspapers of general circulation. Copies of the Draft Element were available for review at all County Libraries throughout the County and at the RMA offices.

The Tulare County Redevelopment Agency does have information for grant applications in both English and Spanish.

Intergovernmental Coordination

Staff has made every effort to assure intergovernmental coordination in the preparation of this Housing Element. The roles of major agencies are explained throughout the document. Through a joint planning committee, the County and its cities worked to provide a comprehensive approach to meeting regional housing goals. They met with representatives of the State Department of Housing Community Development at the HCD Housing Element Workshop held at the RMA offices in Visalia to familiarize themselves with the mandates of State law, which would need to be addressed within local housing elements.

Environmental Review

The State Office of Planning and Research Clearinghouse received the project environmental assessment for distribution and review and comment once comments on the Draft Element were received from State HCD. A Mitigated Negative Declaration was prepared and did accompany the Final Draft Housing Element for review and approval by the Planning Commission and the Board of Supervisors. The Clearinghouse did verify compliance with environmental review requirements pursuant to the California Environmental Quality Act.

Performance Evaluation

Pursuant to Sections 65580 through 65589, Chapter 1143, Article 10.6 of the California Government Code, the County of Tulare has reviewed its housing goals, objectives, policies, and programs in contributing to the attainment of the State Housing Goal, the effectiveness of the Housing Element in attainment of the community's housing goals and objectives, and the progress of the County in implementation of housing related programs. The Housing Element has been revised to reflect the results of State HCD review and comments received from other agencies and the public during the 60-day review period.

APPENDIX A

HOUSING ELEMENT LAW

GOVERNMENT CODE

SECTION 65580-65589.8

65580. The Legislature finds and declares as follows:

(a) The availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian, including farmworkers, is a priority of the highest order.

(b) The early attainment of this goal requires the cooperative participation of government and the private sector in an effort to expand housing opportunities and accommodate the housing needs of Californians of all economic levels.

(c) The provision of housing affordable to low- and moderate-income households requires the cooperation of all levels of government.

(d) Local and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community.

(e) The Legislature recognizes that in carrying out this responsibility, each local government also has the responsibility to consider economic, environmental, and fiscal factors and community goals set forth in the general plan and to cooperate with other local governments and the state in addressing regional housing needs.

65581. It is the intent of the Legislature in enacting this article:

(a) To assure that counties and cities recognize their responsibilities in contributing to the attainment of the state housing goal.

(b) To assure that counties and cities will prepare and implement housing elements which, along with federal and state programs, will move toward attainment of the state housing goal.

(c) To recognize that each locality is best capable of determining what efforts are required by it to contribute to the attainment of the state housing goal, provided such a determination is compatible with the state housing goal and regional housing needs.

(d) To ensure that each local government cooperates with other local governments in order to address regional housing needs.

65582. As used in this article:

(a) "Community," "locality," "local government," or "jurisdiction" means a city, city and county, or county.

(b) "Council of governments" means a single or multicounty council created by a joint powers agreement pursuant to Chapter 5 (commencing with Section 6500) of Division 1 of Title 1.

(c) "Department" means the Department of Housing and Community Development.

(d) "Housing element" or "element" means the housing element of the community's general plan, as required pursuant to this article and subdivision (c) of Section 65302.

(e) "Low- and moderate-income households" means persons and

families of low or moderate incomes as defined by Section 50093 of the Health and Safety Code.

65583. The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, and mobilehomes, and shall make adequate provision for the existing and projected needs of all economic segments of the community. The element shall contain all of the following:

(a) An assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs. The assessment and inventory shall include all of the following:

(1) An analysis of population and employment trends and documentation of projections and a quantification of the locality's existing and projected housing needs for all income levels. These existing and projected needs shall include the locality's share of the regional housing need in accordance with Section 65584.

(2) An analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition.

(3) An inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites.

(4) An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels and for persons with disabilities as identified in the analysis pursuant to paragraph (6), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584 and from meeting the need for housing for persons with disabilities identified pursuant to paragraph (6).

(5) An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, and the cost of construction.

(6) An analysis of any special housing needs, such as those of the elderly, persons with disabilities, large families, farmworkers, families with female heads of households, and families and persons in need of emergency shelter.

(7) An analysis of opportunities for energy conservation with respect to residential development.

(8) An analysis of existing assisted housing developments that are eligible to change from low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use. "Assisted housing developments," for the purpose of this section, shall mean multifamily rental housing that receives governmental assistance under federal programs listed in subdivision (a) of Section 65863.10, state and local multifamily revenue bond programs, local redevelopment programs, the federal Community Development Block Grant

Program, or local in-lieu fees. "Assisted housing developments" shall also include multifamily rental units that were developed pursuant to a local inclusionary housing program or used to qualify for a density bonus pursuant to Section 65916.

(A) The analysis shall include a listing of each development by project name and address, the type of governmental assistance received, the earliest possible date of change from low-income use and the total number of elderly and nonelderly units that could be lost from the locality's low-income housing stock in each year during the 10-year period. For purposes of state and federally funded projects, the analysis required by this subparagraph need only contain information available on a statewide basis.

(B) The analysis shall estimate the total cost of producing new rental housing that is comparable in size and rent levels, to replace the units that could change from low-income use, and an estimated cost of preserving the assisted housing developments. This cost analysis for replacement housing may be done aggregately for each five-year period and does not have to contain a project-by-project cost estimate.

(C) The analysis shall identify public and private nonprofit corporations known to the local government which have legal and managerial capacity to acquire and manage these housing developments.

(D) The analysis shall identify and consider the use of all federal, state, and local financing and subsidy programs which can be used to preserve, for lower income households, the assisted housing developments, identified in this paragraph, including, but not limited to, federal Community Development Block Grant Program funds, tax increment funds received by a redevelopment agency of the community, and administrative fees received by a housing authority operating within the community. In considering the use of these financing and subsidy programs, the analysis shall identify the amounts of funds under each available program which have not been legally obligated for other purposes and which could be available for use in preserving assisted housing developments.

(b) (1) A statement of the community's goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing.

(2) It is recognized that the total housing needs identified pursuant to subdivision (a) may exceed available resources and the community's ability to satisfy this need within the content of the general plan requirements outlined in Article 5 (commencing with Section 65300). Under these circumstances, the quantified objectives need not be identical to the total housing needs. The quantified objectives shall establish the maximum number of housing units by income category that can be constructed, rehabilitated, and conserved over a five-year time period.

(c) A program which sets forth a five-year schedule of actions the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available and the utilization of moneys in a low- and moderate-income housing fund of an agency if the locality has established a redevelopment project area pursuant to the Community Redevelopment Law (Division 24 (commencing with Section 33000) of the Health and Safety Code). In order to make adequate provision for the housing needs of all economic segments of the community, the program shall do all of the following:

(1) (A) Identify adequate sites which will be made available through appropriate zoning and development standards and with services and facilities, including sewage collection and treatment, domestic water supply, and septic tanks and wells, needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, emergency shelters, and transitional housing in order to meet the community's housing goals as identified in subdivision (b).

(i) Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall provide for sufficient sites with zoning that permits owner-occupied and rental multifamily residential use by right, including density and development standards that could accommodate and facilitate the feasibility of housing for very low and low-income households.

(ii) Where the inventory of sites pursuant to paragraph (3) of subdivision (a) does not identify adequate sites to accommodate the need for farmworker housing, the program shall provide for sufficient sites to meet the need with zoning that permits farmworker housing use by right, including density and development standards that could accommodate and facilitate the feasibility of the development of farmworker housing for low- and very low income households.

(B) For purposes of this paragraph, the phrase "use by right" shall mean the use does not require a conditional use permit, except when the proposed project is a mixed-use project involving both commercial or industrial uses and residential uses. Use by right for all rental multifamily residential housing shall be provided in accordance with subdivision (f) of Section 65589.5.

(C) The requirements of this subdivision regarding identification of sites for farmworker housing shall apply commencing with the next revision of housing elements required by Section 65588 following the enactment of this subparagraph.

(2) Assist in the development of adequate housing to meet the needs of low- and moderate-income households.

(3) Address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, or provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities.

(4) Conserve and improve the condition of the existing affordable housing stock, which may include addressing ways to mitigate the loss of dwelling units demolished by public or private action.

(5) Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.

(6) (A) Preserve for lower income households the assisted housing developments identified pursuant to paragraph (8) of subdivision (a).

The program for preservation of the assisted housing developments shall utilize, to the extent necessary, all available federal, state, and local financing and subsidy programs identified in paragraph (8) of subdivision (a), except where a community has other urgent needs for which alternative funding sources are not available. The program may include strategies that involve local regulation and technical assistance.

(B) The program shall include an identification of the agencies

and officials responsible for the implementation of the various actions and the means by which consistency will be achieved with other general plan elements and community goals. The local government shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort.

(d) The analysis and program for preserving assisted housing developments required by the amendments to this section enacted by the Statutes of 1989 shall be adopted as an amendment to the housing element by July 1, 1992.

(e) Failure of the department to review and report its findings pursuant to Section 65585 to the local government between July 1, 1992, and the next periodic review and revision required by Section 65588, concerning the housing element amendment required by the amendments to this section by the Statutes of 1989, shall not be used as a basis for allocation or denial of any housing assistance administered pursuant to Part 2 (commencing with Section 50400) of Division 31 of the Health and Safety Code.

65583.1. (a) The Department of Housing and Community Development, in evaluating a proposed or adopted housing element for compliance with state law, may allow a city or county to identify adequate sites, as required pursuant to Section 65583, by a variety of methods, including, but not limited to, redesignation of property to a more intense land use category and increasing the density allowed within one or more categories. The department may also allow a city or county to identify sites for second units based on the number of second units developed in the prior housing element planning period whether or not the units are permitted by right, the need for these units in the community, the resources or incentives available for their development, and any other relevant factors, as determined by the department. Nothing in this section reduces the responsibility of a city or county to identify, by income category, the total number of sites for residential development as required by this article.

(b) Sites that contain permanent housing units located on a military base undergoing closure or conversion as a result of action pursuant to the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526), the Defense Base Closure and Realignment Act of 1990 (Public Law 101-510), or any subsequent act requiring the closure or conversion of a military base may be identified as an adequate site if the housing element demonstrates that the housing units will be available for occupancy by households within the planning period of the element. No sites containing housing units scheduled or planned for demolition or conversion to nonresidential uses shall qualify as an adequate site.

Any city, city and county, or county using this subdivision shall address the progress in meeting this section in the reports provided pursuant to paragraph (1) of subdivision (b) of Section 65400.

(c) (1) The Department of Housing and Community Development may allow a city or county to substitute the provision of units for up to 25 percent of the community's obligation to identify adequate sites for any income category in its housing element pursuant to paragraph (1) of subdivision (c) of Section 65583 if the community includes in its housing element a program committing the local government to provide units in that income category within the city or county that will be made available through the provision of committed assistance during the planning period covered by the element to low- and very

low income households at affordable housing costs or affordable rents, as defined in Sections 50052.5 and 50053 of the Health and Safety Code, and which meet the requirements of paragraph (2). Except as otherwise provided in this subdivision, the community may substitute one dwelling unit for one dwelling unit site in the applicable income category. The program shall do all of the following:

(A) Identify the specific, existing sources of committed assistance and dedicate a specific portion of the funds from those sources to the provision of housing pursuant to this subdivision.

(B) Indicate the number of units that will be provided to both low- and very low income households and demonstrate that the amount of dedicated funds is sufficient to develop the units at affordable housing costs or affordable rents.

(C) Demonstrate that the units meet the requirements of paragraph (2).

(2) Only units that comply with subparagraph (A), (B), or (C) qualify for inclusion in the housing element program described in paragraph (1), as follows:

(A) Units that are to be substantially rehabilitated with committed assistance from the city or county and constitute a net increase in the community's stock of housing affordable to low- and very low income households. For purposes of this subparagraph, a unit is not eligible to be "substantially rehabilitated" unless all of the following requirements are met:

(i) At the time the unit is identified for substantial rehabilitation, (I) the local government has determined that the unit is at imminent risk of loss to the housing stock, (II) the local government has committed to provide relocation assistance pursuant to Chapter 16 (commencing with Section 7260) of Division 7 of Title 1 to any occupants temporarily or permanently displaced by the rehabilitation or code enforcement activity, (III) the local government requires that any displaced occupants will have the right to reoccupy the rehabilitated units, and (IV) the unit has been cited and found by the local code enforcement agency or a court to be unfit for human habitation and vacated or subject to being vacated because of the existence for not less than 120 days of four of the conditions listed in subdivisions (a) to (g), inclusive, of Section 17995.3 of the Health and Safety Code.

(ii) The rehabilitated unit will have long-term affordability covenants and restrictions that require the unit to be available to, and occupied by, persons or families of low- or very low income at affordable housing costs for at least 20 years or the time period required by any applicable federal or state law or regulation, except that if the period is less than 20 years, only one unit shall be credited as an identified adequate site for every three units rehabilitated pursuant to this section, and no credit shall be allowed for a unit required to remain affordable for less than 10 years.

(iii) Prior to initial occupancy after rehabilitation, the local code enforcement agency shall issue a certificate of occupancy indicating compliance with all applicable state and local building code and health and safety code requirements.

(B) Units that are located in a multifamily rental housing complex of 16 or more units, are converted with committed assistance from the city or county from nonaffordable to affordable by acquisition of the unit or the purchase of affordability covenants and restrictions for the unit, are not acquired by eminent domain, and constitute a net increase in the community's stock of housing affordable to low- and very low income households. For purposes of this subparagraph, a

unit is not converted by acquisition or the purchase of affordability covenants unless all of the following occur:

- (i) The unit is made available at a cost affordable to low- or very low income households.
- (ii) At the time the unit is identified for acquisition, the unit is not available at a cost affordable to low- or very low income households.
- (iii) At the time the unit is identified for acquisition the unit is not occupied by low- or very low income households.
- (iv) The unit is in decent, safe, and sanitary condition at the time of occupancy.
- (v) The acquisition price is not greater than 120 percent of the median price for housing units in the city or county.
- (vi) The unit has long-term affordability covenants and restrictions that require the unit to be affordable to persons of low- or very low income for not less than 30 years.

(C) Units that will be preserved at affordable housing costs to persons or families of low- or very low incomes with committed assistance from the city or county by acquisition of the unit or the purchase of affordability covenants for the unit. For purposes of this subparagraph, a unit shall not be deemed preserved unless all of the following occur:

- (i) The unit has long-term affordability covenants and restrictions that require the unit to be affordable to and reserved for occupancy by persons of the same or lower income group as the current occupants for a period of at least 40 years.
- (ii) The unit is multifamily rental housing that receives governmental assistance under any of the following state and federal programs: Section 221(d)(3) of the National Housing Act (12 U.S.C. Sec. 1715l(d)(3) and (5)); Section 236 of the National Housing Act (12 U.S.C. Sec. 1715z-1); Section 202 of the Housing Act of 1959 (12 U.S.C. Sec. 1701q); for rent supplement assistance under Section 101 of the Housing and Urban Development Act of 1965, as amended (12 U.S.C. Sec. 1701s); under Section 515 of the Housing Act of 1949, as amended (42 U.S.C. Sec. 1485); and any new construction, substantial rehabilitation, moderate rehabilitation, property disposition, and loan management set-aside programs, or any other program providing project-based assistance, under Section 8 of the United States Housing Act of 1937, as amended (42 U.S.C. Sec. 1437f); any state and local multifamily revenue bond programs; local redevelopment programs; the federal Community Development Block Grant Program; and other local housing assistance programs or units that were used to qualify for a density bonus pursuant to Section 65916.

(iii) The city or county finds, after a public hearing, that the unit is eligible, and is reasonably expected, to change from housing affordable to low- and very low income households to any other use during the next five years due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use.

(iv) The unit is in decent, safe, and sanitary condition at the time of occupancy.

(v) At the time the unit is identified for preservation it is available at affordable cost to persons or families of low- or very low income.

(3) This subdivision does not apply to any city or county that, during the current or immediately prior planning period, as defined by Section 65588, has not met any of its share of the regional need for affordable housing, as defined in Section 65584, for low- and very low income households. A city or county shall document for any such housing unit that a building permit has been issued and all development and permit fees have been paid or the unit is eligible to

be lawfully occupied.

(4) For purposes of this subdivision, "committed assistance" means that the city or county enters into a legally enforceable agreement during the first two years of the housing element planning period that obligates sufficient available funds to provide the assistance necessary to make the identified units affordable and that requires that the units be made available for occupancy within two years of the execution of the agreement. "Committed assistance" does not include tenant-based rental assistance.

(5) For purposes of this subdivision, "net increase" includes only housing units provided committed assistance pursuant to subparagraph (A) or (B) of paragraph (2) in the current planning period, as defined in Section 65588, that were not provided committed assistance in the immediately prior planning period.

(6) For purposes of this subdivision, "the time the unit is identified" means the earliest time when any city or county agent, acting on behalf of a public entity, has proposed in writing or has proposed orally or in writing to the property owner, that the unit be considered for substantial rehabilitation, acquisition, or preservation.

(7) On July 1 of the third year of the planning period, as defined by Section 65588, in the report required pursuant to Section 65400, each city or county that has included in its housing element a program to provide units pursuant to subparagraph (A), (B), or (C) of paragraph (2) shall report in writing to the legislative body, and to the department within 30 days of making its report to the legislative body, on its progress in providing units pursuant to this subdivision. The report shall identify the specific units for which committed assistance has been provided or which have been made available to low- and very low income households, and it shall adequately document how each unit complies with this subdivision. If, by July 1 of the third year of the planning period, the city or county has not entered into an enforceable agreement of committed assistance for all units specified in the programs adopted pursuant to subparagraph (A), (B), or (C) of paragraph (2), the city or county shall, not later than July 1 of the fourth year of the planning period, adopt an amended housing element in accordance with Section 65585, identifying additional adequate sites pursuant to paragraph (1) of subdivision (c) of Section 65583 sufficient to accommodate the number of units for which committed assistance was not provided. If a city or county does not amend its housing element to identify adequate sites to address any shortfall, or fails to complete the rehabilitation, acquisition, purchase of affordability covenants, or the preservation of any housing unit within two years after committed assistance was provided to that unit, it shall be prohibited from identifying units pursuant to subparagraph (A), (B), or (C) of paragraph (2) in the housing element that it adopts for the next planning period, as defined in Section 65588, above the number of units actually provided or preserved due to committed assistance.

65584. (a) For purposes of subdivision (a) of Section 65583, the share of a city or county of the regional housing needs includes that share of the housing need of persons at all income levels within the area significantly affected by a general plan of the city or county.

The distribution of regional housing needs shall, based upon available data, take into consideration market demand for housing, employment opportunities, the availability of suitable sites and public facilities, commuting patterns, type and tenure of housing

need, the loss of units contained in assisted housing developments, as defined in paragraph (8) of subdivision (a) of Section 65583, that changed to non-low-income use through mortgage prepayment, subsidy contract expirations, or termination of use restrictions, and the housing needs of farmworkers. The distribution shall seek to reduce the concentration of lower income households in cities or counties that already have disproportionately high proportions of lower income households. Based upon population projections produced by the Department of Finance and regional population forecasts used in preparing regional transportation plans, and in consultation with each council of governments, the Department of Housing and Community Development shall determine the regional share of the statewide housing need at least two years prior to the second revision, and all subsequent revisions as required pursuant to Section 65588. Based upon data provided by the department relative to the statewide need for housing, each council of governments shall determine the existing and projected housing need for its region. Within 30 days following notification of this determination, the department shall ensure that this determination is consistent with the statewide housing need. The department may revise the determination of the council of governments if necessary to obtain this consistency. The appropriate council of governments shall determine the share for each city or county consistent with the criteria of this subdivision and with the advice of the department subject to the procedure established pursuant to subdivision (c) at least one year prior to the second revision, and at five-year intervals following the second revision pursuant to Section 65588. The council of governments shall submit to the department information regarding the assumptions and methodology to be used in allocating the regional housing need. As part of the allocation of the regional housing need, the council of governments, or the department pursuant to subdivision (b), shall provide each city and county with data describing the assumptions and methodology used in calculating its share of the regional housing need. The department shall submit to each council of governments information regarding the assumptions and methodology to be used in allocating the regional share of the statewide housing need. As part of its determination of the regional share of the statewide housing need, the department shall provide each council of governments with data describing the assumptions and methodology used in calculating its share of the statewide housing need. The council of governments shall provide each city and county with the department's information.

The council of governments shall provide a subregion with its share of the regional housing need, and delegate responsibility for providing allocations to cities and a county or counties in the subregion to a subregional entity if this responsibility is requested by a county and all cities in the county, a joint powers authority established pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1, or the governing body of a subregional agency established by the council of governments, in accordance with an agreement entered into between the council of governments and the subregional entity that sets forth the process, timing, and other terms and conditions of that delegation of responsibility.

(b) For areas with no council of governments, the department shall determine housing market areas and define the regional housing need for cities and counties within these areas pursuant to the provisions for the distribution of regional housing needs in subdivision (a). If the department determines that a city or county possesses the capability and resources and has agreed to accept the responsibility, with respect to its jurisdiction, for the identification and determination of housing market areas and regional housing needs, the

department shall delegate this responsibility to the cities and counties within these areas.

(c) (1) Within 90 days following a determination of a council of governments pursuant to subdivision (a), or the department's determination pursuant to subdivision (b), a city or county may propose to revise the determination of its share of the regional housing need in accordance with the considerations set forth in subdivision (a). The proposed revised share shall be based upon available data and accepted planning methodology, and supported by adequate documentation.

(2) Within 60 days after the time period for the revision by the city or county, the council of governments or the department, as the case may be, shall accept the proposed revision, modify its earlier determination, or indicate, based upon available data and accepted planning methodology, why the proposed revision is inconsistent with the regional housing need.

(A) If the council of governments or the department, as the case may be, does not accept the proposed revision, then the city or county shall have the right to request a public hearing to review the determination within 30 days.

(B) The city or county shall be notified within 30 days by certified mail, return receipt requested, of at least one public hearing regarding the determination.

(C) The date of the hearing shall be at least 30 days from the date of the notification.

(D) Before making its final determination, the council of governments or the department, as the case may be, shall consider comments, recommendations, available data, accepted planning methodology, and local geological and topographical restraints on the production of housing.

(3) If the council of governments or the department accepts the proposed revision or modifies its earlier determination, the city or county shall use that share. If the council of governments or the department grants a revised allocation pursuant to paragraph (1), the council of governments or the department shall ensure that the current total housing need is maintained. If the council of governments or the department indicates that the proposed revision is inconsistent with the regional housing need, the city or county shall use the share that was originally determined by the council of governments or the department.

(4) The determination of the council of governments or the department, as the case may be, shall be subject to judicial review pursuant to Section 1094.5 of the Code of Civil Procedure.

(5) The council of governments or the department shall reduce the share of regional housing needs of a county if all of the following conditions are met:

(A) One or more cities within the county agree to increase its share or their shares in an amount that will make up for the reduction.

(B) The transfer of shares shall only occur between a county and cities within that county.

(C) The county's share of low-income and very low income housing shall be reduced only in proportion to the amount by which the county's share of moderate- and above moderate-income housing is reduced.

(D) The council of governments or the department, whichever assigned the county's share, shall have authority over the approval of the proposed reduction, taking into consideration the criteria of subdivision (a).

(6) The housing element shall contain an analysis of the factors and circumstances, with all supporting data, justifying the revision.

All materials and data used to justify any revision shall be made available upon request by any interested party within seven days upon payment of reasonable costs of reproduction unless the costs are waived due to economic hardship.

(d) (1) In the event an incorporation of a new city occurs after the council of governments, or the department for areas with no council of governments, has made its final allocation under this section, the city and county may reach a mutually acceptable agreement on a revised determination and report the revision to the council of governments and the department, or to the department for areas with no council of governments. If the affected parties cannot reach a mutually acceptable agreement, then either party may request the council of governments, or the department for areas with no council of governments, to consider the facts, data, and methodology presented by both parties and make the revised determination. The revised determination shall be made within one year of the incorporation of the new city based upon the methodology described in subdivision (a) and shall reallocate a portion of the affected county's share of regional housing needs to the new city. The revised determination shall neither reduce the total regional housing need nor change the previous allocation of the regional housing needs assigned by the council of governments or the department, where there is no council of governments, to other cities within the affected county.

(2) Except as provided in paragraph (3), any ordinance, policy, or standard of a city or county that directly limits, by number, the building permits that may be issued for residential construction, or limits for a set period of time the number of buildable lots that may be developed for residential purposes, shall not be a justification for a determination or a reduction in the share of a city or county of the regional housing need.

(3) Paragraph (2) does not apply to any city or county that imposes a moratorium on residential construction for a specified period of time in order to preserve and protect the public health and safety. If a moratorium is in effect, the city or county shall, prior to a revision pursuant to subdivision (c), adopt findings that specifically describe the threat to the public health and safety and the reasons why construction of the number of units specified as its share of the regional housing need would prevent the mitigation of that threat.

(e) Any authority to review and revise the share of a city or county of the regional housing need granted under this section shall not constitute authority to revise, approve, or disapprove the manner in which the share of the city or county of the regional housing need is implemented through its housing program.

(f) A fee may be charged to interested parties for any additional costs caused by the amendments made to subdivision (c) by Chapter 1684 of the Statutes of 1984 reducing from 45 to 7 days the time within which materials and data shall be made available to interested parties.

(g) Determinations made by the department, a council of governments, or a city or county pursuant to this section are exempt from the California Environmental Quality Act, Division 13 (commencing with Section 21000) of the Public Resources Code.

65584.3. (a) A city that is incorporated to promote commerce and industry, that is located in the County of Los Angeles, and that has no residentially zoned land within its boundaries on January 1, 1992,

may elect to adopt a housing element that makes no provision for new housing or the share of regional housing needs as determined pursuant to Section 65584 for the current and subsequent revisions of the housing element pursuant to Section 65588, for the period of time that 20 percent of all tax increment revenue accruing from all redevelopment projects, and required to be set aside for low- and moderate-income housing pursuant to Section 33334.2 of the Health and Safety Code, is annually transferred to the Housing Authority of the County of Los Angeles.

(b) (1) The amount of tax increment to be transferred each year pursuant to subdivision (a) shall be determined at the end of each fiscal year, commencing with the 1992-93 fiscal year. This amount shall be transferred within 30 days of the agency receiving each installment of its allocation of tax increment moneys, commencing in 1993.

(2) On or before December 31, 1992, the agency shall make an additional payment to the Housing Authority of the County of Los Angeles that eliminates any indebtedness to the low- and moderate-income housing fund pursuant to Section 33334.3. This amount shall be reduced by any amount actually expended by the redevelopment agency for principal or interest payments on agency bonds issued prior to the effective date of the act that adds this section, when that portion of the agency's tax increment revenue representing the low- and moderate-income housing set-aside funds was lawfully pledged as security for the bonds, and only to the extent that other tax increment revenue in excess of the 20-percent low- and moderate-income set-aside funds is insufficient in that fiscal year to meet in full the principal and interest payments.

(c) The Department of Housing and Community Development shall annually review the calculation and determination of the amount transferred pursuant to subdivisions (a) and (b). The department may conduct an audit of these funds if and when the Director of Housing and Community Development deems an audit appropriate.

(d) The amount transferred pursuant to subdivisions (a) and (b) shall fulfill the obligation of that city's redevelopment agency to provide for housing for low- and moderate-income families and individuals pursuant to Sections 33334.2 to 33334.16, inclusive, of the Health and Safety Code. The use of these funds for low- and moderate-income families in the region of the Southern California Association of Governments within which the city is located shall be deemed to be of benefit to the city's redevelopment project areas.

(e) (1) The amount transferred pursuant to subdivisions (a) and (b) to the Housing Authority of the County of Los Angeles shall be expended to provide housing and assistance, including, but not limited to, that specified in subdivision (e) of Section 33334.2 of the Health and Safety Code for low- and moderate-income families and individuals, in the region of the Southern California Association of Governments within which the city is located.

(2) Funds expended pursuant to this subdivision shall be expended in accordance with all of the following:

(A) The funds shall be expended for the construction of low- and moderate-income housing located no further than 15 miles from the nearest boundary line of the City of Industry.

(B) The low- and moderate-income housing constructed pursuant to this subdivision shall be in addition to any other housing required by the housing element of the general plan of the jurisdiction in which the low- and moderate-income housing is constructed.

(C) Funds may be encumbered by the Housing Authority of the County of Los Angeles for the purposes of this subdivision only after the authority has prepared a written plan for the expenditure of funds to

be transferred to the authority pursuant to this subdivision and has filed a copy of this expenditure plan with the Department of Housing and Community Development.

(f) A city that meets the conditions specified in subdivision (d) shall continue to have responsibility for preparing a housing element pursuant to Section 65583 only to the extent to which the assessment of housing needs, statement of goals and objectives, and the five-year schedule of actions relate to the city's plan to maintain, preserve, and improve the housing that exists in the city on the effective date of the act which adds this section.

(g) This section shall not become operative unless and until a parcel of land, to be dedicated for the construction of a high school, is transferred pursuant to a written agreement between the City of Industry and the Pomona Unified School District, and a copy of this agreement is filed with the County Clerk of the County of Los Angeles.

65584.5. (a) A city or county may transfer a percentage of its share of the regional housing needs to another city or county, if all of the following requirements are met:

(1) Both the receiving city or county and the transferring city or county comply with all of the conditions specified in subdivision (b).

(2) The council of governments or the department reviews the findings made pursuant to paragraph (2) of subdivision (c).

(3) The transfer does not occur more than once in a five-year housing element interval pursuant to subdivision (b) of Section 65588.

(4) The procedures specified in subdivision (c) are met.

(b) (1) Except as provided in paragraph (5) of subdivision (c) of Section 65584, a city or county transferring a share of its regional housing needs shall first have met, in the current or previous housing element cycle, at least 15 percent of its existing share of the region's affordable housing needs, as defined in Section 65584, in the very low and lower income category of income groups defined in Section 50052.5 of the Health and Safety Code if it proposes to transfer not more than 15 percent. In no event, however, shall the city or county transfer more than 500 dwelling units in a housing element cycle.

(2) A city or county shall transfer its regional housing needs in the same proportion by income group as the jurisdiction has met its regional housing needs.

(3) The transfer shall be only between jurisdictions that are contiguously situated or between a receiving city or county that is within 10 miles of the territory of the community of the donor city or county. If both the donor community and receiving community are counties, the donor county shall be adjacent to, in the same council of governments region as, and in the same housing market as, the receiving county. The sites on which any transferred housing units will be constructed shall be in the receiving city or county, and within the same housing market area as the jurisdiction of the donor city or county.

(4) The transferring and receiving city or county shall have adopted, and shall be implementing, a housing element in substantial compliance with Section 65583.

(5) The transferring city or county and the receiving city or county shall have completed, and provided to the department, the annual report required by subdivision (b) of Section 65400.

(c) (1) The donor city or county and the receiving city or county shall, at least 45 days prior to the transfer, hold a public hearing, after providing notice pursuant to Section 6062, to solicit public comments on the draft contract, including its terms, conditions, and determinations.

(2) The transferring and the receiving city or county shall do all of the following:

(A) Adopt a finding, based on substantial evidence on the record, that the transfer of the regional housing need pursuant to the terms of the agreement will not cause or exacerbate racial, ethnic, or economic segregation and will not create a detrimental financial impact upon the receiving city or county.

(B) Adopt a finding, based on substantial evidence on the record, that the transfer of the regional housing need will result in the construction of a greater number of similar type dwelling units than if the transfer does not occur.

(3) (A) The transferring city or county and the receiving city or county shall enter into an agreement to transfer units eligible under subdivision (b). A copy of this agreement shall be sent to the council of governments and the department to be kept on file for public examination.

(B) The agreement shall include a plan and schedule for timely construction of dwelling units, including, in addition to site identification, identification of and timeframes for applying for sufficient subsidy or mortgage financing if the units need a subsidy or mortgage financing, and a finding that sufficient services and public facilities will be provided.

(4) At least 60 days prior to the transfer, the receiving city or county planning agency and the transferring city or county planning agency shall submit to the department a draft amendment to reflect the identified transferred units. A transferring agency may reduce its housing needs only to the extent that it had not previously reduced its housing needs pursuant to paragraph (2) of subdivision (b) of Section 65583. A county planning agency that has its share of the regional housing need reduced pursuant to paragraph (5) of subdivision (c) of Section 65584 shall comply with this section. A receiving city or county shall, in addition to any other provisions of the article, identify in its housing element sufficient sites to meet its initial low- and moderate-income housing needs and sufficient sites to meet all transferred housing needs.

(5) The department shall review the draft amendment and report its written findings to the planning agency within 45 days of its receipt.

(6) The department's review shall follow the same procedure, requirements, and responsibilities of Sections 65583, 65585, 65587, and 65589.3. The court shall consider any written findings submitted by the department.

(d) No transfer made pursuant to this section shall affect the plans for a development that have been submitted to a city or county for approval 45 days prior to the adoption of the amendment to the housing element.

(e) No transfer made pursuant to this section shall be counted toward any ordinance or policy of a locality that specifically limits the number of units that may be constructed.

(f) The Attorney General or any other interested person shall have authority to enforce the terms of the agreement and the provisions of this section.

(g) For a period of five years after the transfer occurs, the report required by subdivision (b) of Section 65400 shall include information on the status of transferred units, implementation of the

terms and conditions of the transfer contract, and information on any dwelling units actually constructed, including the number, type, location, and affordability requirements in place for these units.

(h) (1) At least 60 days prior to the proposed transfer, the donor city or county shall submit the proposed agreement to the council of governments, or to the department if there is no council of governments that serves the city or county, for review. The governing board of the council or the director shall determine whether there is substantial evidence to support the terms, conditions, and determinations of the agreement and whether the agreement complies with the substantive and procedural requirements of this section. If the council or the director finds that there is substantial evidence to support the terms, conditions, and determinations of the agreement, and that the agreement complies with the substantive and procedural requirements of this section, the participating jurisdictions may proceed with the agreement. If the governing board or the director finds that there is not substantial evidence to support the terms, conditions, and findings of the agreement, or that the agreement does not comply with the substantive and procedural requirements of this section, the board or the director may make recommendations for revising or terminating the agreement. The participating jurisdictions shall then include those revisions, if any, or terminate the agreement.

(2) The council or the director may convene a committee to advise the council or the director in conducting this review. The donor city or county and the receiving community shall pay the council's or the department's costs associated with the committee. Neither the donor city or county, nor the receiving city or county, may expend moneys in its Low and Moderate Income Housing Fund of its redevelopment agency for costs associated with the committee.

(3) Membership of the committee appointed pursuant to paragraph (2) shall include all of the following:

- (A) One representative appointed by the director.
- (B) One representative appointed by the donor agency.
- (C) One representative appointed by the receiving community.
- (D) Two low- and moderate-income housing advocates, appointed by the director, who represent those persons in that region.

(i) (1) The receiving city or county shall construct the housing units within three years of the date that the transfer contract is entered into pursuant to this section. This requirement shall be met by documenting that a building permit has been issued and all fees have been paid.

(2) Any portion of a regional share allocation that is transferred to another jurisdiction, and that is not constructed within the three-year deadline set forth in paragraph (1), shall be reallocated by the council of governments to the transferring city or county, and the transferring city or county shall modify its zoning ordinance, if necessary, and amend its housing element to reflect the reallocated units.

(3) If, at the end of the five-year housing element planning period, any portion of a regional share allocation that is transferred to another jurisdiction is not yet constructed, the council of governments shall add the unbuilt units to the normal regional fair share allocation and reallocate that amount to either of the following:

- (A) The receiving city, if the three-year deadline for construction has not yet occurred; or
- (B) The transferring city, if the three-year deadline for construction has occurred.

(4) If the transferred units are not constructed within three

years, the nonperforming jurisdictions participating in the transfer of regional share allocations shall be precluded from transferring their regional shares, pursuant to this section, for the planning period of the next periodic update of the housing element.

(j) On or after January 1, 2000, no transferring city or county shall enter into an agreement pursuant to this section unless a later enacted statute, which is enacted before January 1, 2000, deletes or extends that date.

(k) If Article XXXIV of the California Constitution is applicable, the receiving city or county shall certify that it has sufficient authority under Article XXXIV of the California Constitution to allow development of units transferred pursuant to this section.

(l) The receiving city or county shall not, within three years of the date of the transfer agreement entered into pursuant to this section, or until transferred units are constructed, whichever is longer, enter into a contract to transfer units outside the territorial jurisdiction of the agency pursuant to this section.

(m) Communities that have transferred a portion of their share of the regional housing need to another city or county pursuant to this section shall comply with all other provisions of law for purposes of meeting the remaining regional housing need not transferred, including compliance with the provisions of Section 65589.5.

(n) As used in this section, "housing market area" means the area determined by a council of governments or the department pursuant to Section 65584, and based upon market demand for housing, employment opportunities, the availability of suitable sites and public facilities, and commuting patterns.

(o) This section shall not be construed to interfere with the right of counties to transfer shares of regional housing needs pursuant to paragraph (5) of subdivision (c) of Section 65584.

65584.6. (a) The County of Napa may, during its current housing element planning period, identified in Section 65588, meet up to 15 percent of its existing share of the regional housing need for lower income households, as defined in Section 65584, by committing funds for the purpose of constructing affordable housing units, and constructing those units in one or more cities within the county, only after all of the following conditions are met:

(1) An agreement has been executed between the county and the receiving city or cities, following a public hearing held by the county and the receiving city or cities to solicit public comments on the draft agreement. The agreement shall contain information sufficient to demonstrate that the county and city or cities have complied with the requirements of this section and shall also include the following:

(A) A plan and schedule for timely construction of dwelling units.

(B) Site identification by street address for the units to be developed.

(C) A statement either that the sites upon which the units will be developed were identified in the receiving city's housing element as potential sites for the development of housing for lower-income households, or that the units will be developed on previously unidentified sites.

(D) The number and percentage of the county's lower-income housing needs previously transferred, for the appropriate planning period, pursuant to this section.

(2) The council of governments that assigned the county's share

receives and approves each proposed agreement to meet a portion of the county's fair share housing allocation within one or more of the cities within the county after taking into consideration the criteria of subdivision (a) of Section 65584. If the council of governments fails to take action to approve or disapprove an agreement between the county and the receiving city or cities within 45 days following the receipt of the agreement, the agreement shall be deemed approved.

(3) The city or cities in which the units are developed agree not to count the units towards their share of the region's affordable housing need.

(4) The county and the receiving city or cities, based on substantial evidence on the record, make the following findings:

(A) Adequate sites with appropriate zoning exist in the receiving city or cities to accommodate the units to be developed pursuant to this section. The agreement shall demonstrate that the city or cities have identified sufficient vacant or underutilized or vacant and underutilized sites in their housing elements to meet their existing share of regional housing need, as allocated by the council of governments pursuant to subdivision (a) of Section 65584, in addition to the sites needed to construct the units pursuant to this section.

(B) If needed, additional subsidy or financing for the construction of the units is available.

(C) The receiving city or cities have housing elements that have been found by the Department of Housing and Community Development to be in compliance with this article.

(5) If the sites upon which units are to be developed pursuant to this section were previously identified in the receiving city's housing element as potential sites for the development of housing sufficient to accommodate the receiving city's share of the lower income household need identified in its housing element, then the receiving city shall have amended its housing element to identify replacement sites by street address for housing for lower-income households. Additionally, the Department of Housing and Community Development shall have received and reviewed the amendment and found that the city's housing element continues to comply with this article.

(6) The county and receiving city or cities shall have completed, and provided to the department, the annual report required by subdivision (b) of Section 65400.

(7) For a period of five years after a transfer occurs, the report required by subdivision (b) of Section 65400 shall include information on the status of transferred units, implementation of the terms and conditions of the transfer agreement, and information on any dwelling units actually constructed, including the number, type, location, and affordability requirements.

(8) The receiving city demonstrates that it has met, in the current or previous housing element cycle, at least 20 percent of its share of the regional need for housing for very low-income households allocated to the city pursuant to Section 65584.

(b) The credit that the county receives pursuant to this section shall not exceed 40 percent of the number of units that are affordable to lower income households and constructed and occupied during the same housing element cycle in unincorporated areas of the county. The county shall only receive the credit after the units have been constructed and occupied. Within 60 days of issuance of a certificate of occupancy for the units, the county shall inform the council of governments and the department in writing that a certificate of occupancy has been issued.

(c) Concurrent with the review by the council of governments prescribed by this section, the Department of Housing and Community Development shall evaluate the agreement to determine whether the city or cities are in substantial compliance with this section. The department shall report the results of its evaluation to the county and city or cities for inclusion in their record of compliance with this section.

(d) If at the end of the five-year period identified in subdivision (c) of Section 65583, any percentage of the regional share allocation has not been constructed as provided pursuant to subdivision (a), or, after consultation with the department, the council of governments determines that the requirements of paragraphs (5) and (7) of subdivision (a) have not been substantially complied with, the council of governments shall add the unbuilt units to Napa County's regional share allocation for the planning period of the next periodic update of the housing element.

(e) Napa County shall not meet a percentage of its share of the regional share pursuant to subdivision (a) on or after June 30, 2007, unless a later enacted statute, that is enacted before June 30, 2007, deletes or extends that date.

65585. (a) In the preparation of its housing element, each city and county shall consider the guidelines adopted by the department pursuant to Section 50459 of the Health and Safety Code. Those guidelines shall be advisory to each city or county in the preparation of its housing element.

(b) At least 90 days prior to adoption of its housing element, or at least 60 days prior to the adoption of an amendment to this element, the planning agency shall submit a draft element or draft amendment to the department. The department shall review the draft and report its written findings to the planning agency within 90 days of its receipt of the draft in the case of an adoption or within 60 days of its receipt in the case of a draft amendment.

(c) In the preparation of its findings, the department may consult with any public agency, group, or person. The department shall receive and consider any written comments from any public agency, group, or person regarding the draft or adopted element or amendment under review.

(d) In its written findings, the department shall determine whether the draft element or draft amendment substantially complies with the requirements of this article.

(e) Prior to the adoption of its draft element or draft amendment, the legislative body shall consider the findings made by the department. If the department's findings are not available within the time limits set by this section, the legislative body may act without them.

(f) If the department finds that the draft element or draft amendment does not substantially comply with the requirements of this article, the legislative body shall take one of the following actions:

(1) Change the draft element or draft amendment to substantially comply with the requirements of this article.

(2) Adopt the draft element or draft amendment without changes. The legislative body shall include in its resolution of adoption written findings which explain the reasons the legislative body believes that the draft element or draft amendment substantially complies with the requirements of this article despite the findings of the department.

(g) Promptly following the adoption of its element or amendment,

the planning agency shall submit a copy to the department.

(h) The department shall, within 90 days, review adopted housing elements or amendments and report its findings to the planning agency.

65585.1. (a) The San Diego Association of Governments (SANDAG), if it approves a resolution agreeing to participate in the self-certification process, and in consultation with the cities and county within its jurisdiction, its housing element advisory committee, and the department, shall work with a qualified consultant to determine the maximum number of housing units that can be constructed, acquired, rehabilitated, and preserved as defined in paragraph (11) of subdivision (e) of Section 33334.2 of the Health and Safety Code, and the maximum number of units or households that can be provided with rental or ownership assistance, by each jurisdiction during the third and fourth housing element cycles to meet the existing and future housing needs for low- and very low income households as defined in Sections 50079.5, 50093, and 50105 of the Health and Safety Code, and extremely low income households. The methodology for determining the maximum number of housing units that can be provided shall include a recognition of financial resources and regulatory measures that local jurisdictions can use to provide additional affordable lower income housing. This process is intended to identify the available resources that can be used to determine the maximum number of housing units each jurisdiction can provide. The process acknowledges that the need to produce housing for low-, very low, and extremely low income households may exceed available resources. The department and SANDAG, with input from its housing element advisory committee, the consultant, and local jurisdictions, shall agree upon definitions for extremely low income households and their affordable housing costs, the methodology for the determination of the maximum number of housing units and the number each jurisdiction can produce at least one year before the due date of each housing element revision, pursuant to paragraph (4) of subdivision (e) of Section 65588. If SANDAG fails to approve a resolution agreeing to participate in this pilot program, or SANDAG and the department fail to agree upon the methodology by which the maximum number of housing units is determined, then local jurisdictions may not self-certify pursuant to this section.

(1) The "housing element advisory committee" should include representatives of the local jurisdictions, nonprofit affordable housing development corporations and affordable housing advocates, and representatives of the for-profit building, real estate and banking industries.

(2) The determination of the "maximum number of housing units" that the jurisdiction can provide assumes that the needs for low-, very low, and extremely low income households, including those with special housing needs, will be met in approximate proportion to their representation in the region's population.

(3) A "qualified consultant" for the purposes of this section means an expert in the identification of financial resources and regulatory measures for the provision of affordable housing for lower income households.

(b) A city or county within the jurisdiction of the San Diego Association of Governments that elects not to self-certify, or is ineligible to do so, shall submit its housing element or amendment to the department, pursuant to Section 65585.

(c) A city or county within the jurisdiction of the San Diego

Association of Governments that elects to self-certify shall submit a self-certification of compliance to the department with its adopted housing element or amendment. In order to be eligible to self-certify, the legislative body, after holding a public hearing, shall make findings, based on substantial evidence, that it has met the following criteria for self-certification:

(1) The jurisdiction's adopted housing element or amendment substantially complies with the provisions of this article, including addressing the needs of all income levels.

(2) For the third housing element revision, pursuant to Section 65588, the jurisdiction met its fair share of the regional housing needs for the second housing element revision cycle, as determined by the San Diego Association of Governments.

In determining whether a jurisdiction has met its fair share, the jurisdiction may count each additional lower income household provided with affordable housing costs. Affordable housing costs are defined in Section 6918 for renters, and in Section 6925 for purchasers, of Title 25 of the California Code of Regulations, and in Sections 50052.5 and 50053 of the Health and Safety Code, or by the applicable funding source or program.

(3) For subsequent housing element revisions, pursuant to Section 65588, the jurisdiction has provided the maximum number of housing units as determined pursuant to subdivision (a), within the previous planning period.

(A) The additional units provided at affordable housing costs as defined in paragraph (2) in satisfaction of a jurisdiction's maximum number of housing units shall be provided by one or more of the following means:

(i) New construction.

(ii) Acquisition.

(iii) Rehabilitation.

(iv) Rental or ownership assistance.

(v) Preservation of the availability to lower income households of affordable housing units in developments which are assisted, subsidized, or restricted by a public entity and which are threatened with imminent conversion to market rate housing.

(B) The additional affordable units shall be provided in approximate proportion to the needs defined in paragraph (2) of subdivision (a).

(4) The city or county provides a statement regarding how its adopted housing element or amendment addresses the dispersion of lower income housing within its jurisdiction, documenting that additional affordable housing opportunities will not be developed only in areas where concentrations of lower income households already exist, taking into account the availability of necessary public facilities and infrastructure.

(5) No local government actions or policies prevent the development of the identified sites pursuant to Section 65583, or accommodation of the jurisdiction's share of the total regional housing need, pursuant to Section 65584.

(d) When a city or county within the jurisdiction of the San Diego Association of Governments duly adopts a self-certification of compliance with its adopted housing element or amendment pursuant to subdivision (c), all of the following shall apply:

(1) Section 65585 shall not apply to the city or county.

(2) In any challenge of a local jurisdiction's self-certification, the court's review shall be limited to determining whether the self-certification is accurate and complete as to the criteria for self-certification. Where there has not been a successful challenge of the self-certification, there shall be a rebuttable presumption of

the validity of the housing element or amendment.

(3) Within six months after the completion of the revision of all housing elements in the region, the council of governments, with input from the cities and county within its jurisdiction, the housing element advisory committee, and qualified consultant shall report to the Legislature on the use and results of the self-certification process by local governments within its jurisdiction. This report shall contain data for the last planning period regarding the total number of additional affordable housing units provided by income category, the total number of additional newly constructed housing units, and any other information deemed useful by SANDAG in the evaluation of the pilot program.

(e) This section shall become inoperative on June 30, 2009, and as of January 1, 2010, is repealed, unless a later enacted statute that is enacted before January 1, 2010, deletes or extends the dates on which it becomes inoperative and is repealed.

65585.2. Notwithstanding any other provision of law, any city or county that has a housing element that has been self-certified pursuant to the requirements of Section 65585.1 shall be considered to be fully eligible to participate in any program created by, or receiving funds through, the Housing and Emergency Shelter Trust Fund Act of 2002 in an identical manner and to the same degree, as those local jurisdictions deemed in substantial compliance with the requirements of this article by the Department of Housing and Community Development pursuant to Section 65585.

65586. Local governments shall conform their housing elements to the provisions of this article on or before October 1, 1981. Jurisdictions with housing elements adopted before October 1, 1981, in conformity with the housing element guidelines adopted by the Department of Housing and Community Development on December 7, 1977, and located in Subchapter 3 (commencing with Section 6300) of Chapter 6 of Part 1 of Title 25 of the California Administrative Code, shall be deemed in compliance with this article as of its effective date. A locality with a housing element found to be adequate by the department before October 1, 1981, shall be deemed in conformity with these guidelines.

65587. (a) Each city, county, or city and county shall bring its housing element, as required by subdivision (c) of Section 65302, into conformity with the requirements of this article on or before October 1, 1981, and the deadlines set by Section 65588. Except as specifically provided in subdivision (b) of Section 65361, the Director of Planning and Research shall not grant an extension of time from these requirements.

(b) Any action brought by any interested party to review the conformity with the provisions of this article of any housing element or portion thereof or revision thereto shall be brought pursuant to Section 1085 of the Code of Civil Procedure; the court's review of compliance with the provisions of this article shall extend to whether the housing element or portion thereof or revision thereto substantially complies with the requirements of this article.

(c) If a court finds that an action of a city, county, or city and

county, which is required to be consistent with its general plan, does not comply with its housing element, the city, county, or city and county shall bring its action into compliance within 60 days. However, the court shall retain jurisdiction throughout the period for compliance to enforce its decision. Upon the court's determination that the 60-day period for compliance would place an undue hardship on the city, county, or city and county, the court may extend the time period for compliance by an additional 60 days.

65588. (a) Each local government shall review its housing element as frequently as appropriate to evaluate all of the following:

(1) The appropriateness of the housing goals, objectives, and policies in contributing to the attainment of the state housing goal.

(2) The effectiveness of the housing element in attainment of the community's housing goals and objectives.

(3) The progress of the city, county, or city and county in implementation of the housing element.

(b) The housing element shall be revised as appropriate, but not less than every five years, to reflect the results of this periodic review.

(c) The review and revision of housing elements required by this section shall take into account any low- or moderate-income housing provided or required pursuant to Section 65590.

(d) The review pursuant to subdivision (c) shall include, but need not be limited to, the following:

(1) The number of new housing units approved for construction within the coastal zone after January 1, 1982.

(2) The number of housing units for persons and families of low or moderate income, as defined in Section 50093 of the Health and Safety Code, required to be provided in new housing developments either within the coastal zone or within three miles of the coastal zone pursuant to Section 65590.

(3) The number of existing residential dwelling units occupied by persons and families of low or moderate income, as defined in Section 50093 of the Health and Safety Code, that have been authorized to be demolished or converted since January 1, 1982, in the coastal zone.

(4) The number of residential dwelling units for persons and families of low or moderate income, as defined in Section 50093 of the Health and Safety Code, that have been required for replacement or authorized to be converted or demolished as identified in paragraph (3). The location of the replacement units, either onsite, elsewhere within the locality's jurisdiction within the coastal zone, or within three miles of the coastal zone within the locality's jurisdiction, shall be designated in the review.

(e) Notwithstanding subdivision (b) or the date of adoption of the housing elements previously in existence, the dates of revisions for the housing element shall be modified as follows:

(1) Local governments within the regional jurisdiction of the Southern California Association of Governments: December 31, 2000, for the third revision, and June 30, 2006, for the fourth revision.

(2) Local governments within the regional jurisdiction of the Association of Bay Area Governments: December 31, 2001, for the third revision, and June 30, 2007, for the fourth revision.

(3) Local governments within the regional jurisdiction of the Council of Fresno County Governments, the Kern County Council of Governments, and the Sacramento Area Council of Governments: June

30, 2002, for the third revision, and June 30, 2008, for the fourth revision.

(4) Local governments within the regional jurisdiction of the Association of Monterey Bay Area Governments: December 31, 2002, for the third revision, and June 30, 2008, for the fourth revision.

(5) Local governments within the regional jurisdiction of the San Diego Association of Governments: December 31, 1999, for the third revision cycle ending June 30, 1999, and June 30, 2005, for the fourth revision.

(6) All other local governments: December 31, 2003, for the third revision, and June 30, 2009, for the fourth revision.

(7) Subsequent revisions shall be completed not less often than at five-year intervals following the fourth revision.

65588.1. (a) The planning period of existing housing elements prepared pursuant to subdivision (b) of Section 65588 shall be extended through the housing element due date prescribed in subdivision (e) of Section 65588. Local governments shall continue to implement the housing program of existing housing elements and the annual review pursuant to Section 65400.

(b) The extension provided in this section shall not limit the existing responsibility under subdivision (b) of Section 65588 of any jurisdiction to adopt a housing element in conformance with this article.

(c) It is the intent of the Legislature that nothing in this section shall be construed to reinstate any mandates pursuant to Chapter 1143 of the Statutes of 1980 suspended by the Budget Act of 1993-94.

65589. (a) Nothing in this article shall require a city, county, or city and county to do any of the following:

(1) Expend local revenues for the construction of housing, housing subsidies, or land acquisition.

(2) Disapprove any residential development which is consistent with the general plan.

(b) Nothing in this article shall be construed to be a grant of authority or a repeal of any authority which may exist of a local government to impose rent controls or restrictions on the sale of real property.

(c) Nothing in this article shall be construed to be a grant of authority or a repeal of any authority which may exist of a local government with respect to measures that may be undertaken or required by a local government to be undertaken to implement the housing element of the local general plan.

(d) The provisions of this article shall be construed consistent with, and in promotion of, the statewide goal of a sufficient supply of decent housing to meet the needs of all Californians.

65589.3. In any action filed on or after January 1, 1991, taken to challenge the validity of a housing element, there shall be a rebuttable presumption of the validity of the element or amendment if, pursuant to Section 65585, the department has found that the element or amendment substantially complies with the requirements of this article.

65589.4. (a) A multifamily residential housing project shall be a permitted use not subject to a conditional use permit on any parcel zoned for multifamily housing if it satisfies the requirements of subdivision (b) and either of the following:

(1) The project satisfies the criteria of Section 21159.22, 21159.23, or 21159.24 of the Public Resources Code.

(2) The project meets all of the following criteria:

(A) The project is subject to a discretionary decision other than a conditional use permit and a negative declaration or mitigated negative declaration has been adopted for the project under the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code). If no public hearing is held with respect to the discretionary decision, then the negative declaration or mitigated negative declaration for the project may be adopted only after a public hearing to receive comments on the negative declaration or mitigated negative declaration.

(B) The project is consistent with both the jurisdiction's zoning ordinance and general plan as it existed on the date the application was deemed complete, except that a project shall not be deemed to be inconsistent with the zoning designation for the site if that zoning designation is inconsistent with the general plan only because the project site has not been rezoned to conform with a more recently adopted general plan.

(C) The project is located in an area that is covered by one of the following documents that has been adopted by the jurisdiction within five years of the date the application for the project was deemed complete:

(i) A general plan.

(ii) A revision or update to the general plan that includes at least the land use and circulation elements.

(iii) An applicable community plan.

(iv) An applicable specific plan.

(D) The project consists of not more than 100 residential units with a minimum density of not less than 12 units per acre.

(E) The project is located in an urbanized area as defined in Section 21071 of the Public Resources Code or within a census-defined place with population density of at least 5,000 persons per square mile or, if the project consists of 50 or fewer units, within an incorporated city with a population density of at least 2,500 persons per square mile and a total population of at least 25,000 persons.

(F) The project is located on an infill site as defined in Section 21061.0.5 of the Public Resources Code.

(b) At least 10 percent of the units of the project shall be available at affordable housing cost to very low income households, as defined in Section 50105 of the Health and Safety Code, or at least 20 percent of the units of the housing development shall be available at affordable housing cost to lower income households, as defined in Section 50079.5 of the Health and Safety Code, or at least 50 percent of the units of the housing development available at affordable housing cost to moderate-income households, consistent with Section 50052.5 of the Health and Safety Code. The developer of the project shall provide sufficient legal commitments to the local agency to ensure the continued availability and use of the housing units for very low, low-, or moderate-income households for a period of at least 30 years.

(c) Nothing in this section shall prohibit a local agency from applying design and site review standards in existence on the date the application was deemed complete.

(d) The provisions of this section are independent of any obligation of a jurisdiction pursuant to subdivision (c) of Section 65583 to identify multifamily sites developable by right.

(e) This section does not apply to the issuance of coastal development permits pursuant to the California Coastal Act (Division 20 (commencing with Section 30000) of the Public Resources Code).

65589.5. (a) The Legislature finds and declares all of the following:

(1) The lack of housing is a critical problem that threatens the economic, environmental, and social quality of life in California.

(2) California housing has become the most expensive in the nation. The excessive cost of the state's housing supply is partially caused by activities and policies of many local governments that limit the approval of housing, increase the cost of land for housing, and require that high fees and exactions be paid by producers of housing.

(3) Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration.

(4) Many local governments do not give adequate attention to the economic, environmental, and social costs of decisions that result in disapproval of housing projects, reduction in density of housing projects, and excessive standards for housing projects.

(b) It is the policy of the state that a local government not reject or make infeasible housing developments that contribute to meeting the housing need determined pursuant to this article without a thorough analysis of the economic, social, and environmental effects of the action and without complying with subdivision (d).

(c) The Legislature also recognizes that premature and unnecessary development of agricultural lands for urban uses continues to have adverse effects on the availability of those lands for food and fiber production and on the economy of the state. Furthermore, it is the policy of the state that development should be guided away from prime agricultural lands; therefore, in implementing this section, local jurisdictions should encourage, to the maximum extent practicable, in filling existing urban areas.

(d) A local agency shall not disapprove a housing development project, including farmworker housing as defined in subdivision (d) of Section 50199.50 of the Health and Safety Code, for very low, low- or moderate-income households or condition approval, including through the use of design review standards, in a manner that renders the project infeasible for development for the use of very low, low- or moderate-income households unless it makes written findings, based upon substantial evidence in the record, as to one of the following:

(1) The jurisdiction has adopted a housing element pursuant to this article that has been revised in accordance with Section 65588 and that is in substantial compliance with this article, and the development project is not needed for the jurisdiction to meet its share of the regional housing need for very low, low-, or moderate-income housing.

(2) The development project as proposed would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low-

and moderate-income households. As used in this paragraph, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

(3) The denial of the project or imposition of conditions is required in order to comply with specific state or federal law, and there is no feasible method to comply without rendering the development unaffordable to low- and moderate-income households.

(4) Approval of the development project would increase the concentration of lower income households in a neighborhood that already has a disproportionately high number of lower income households and there is no feasible method of approving the development at a different site, including those sites identified pursuant to paragraph (1) of subdivision (c) of Section 65583, without rendering the development unaffordable to low- and moderate-income households.

(5) The development project is proposed on land zoned for agriculture or resource preservation that is surrounded on at least two sides by land being used for agricultural or resource preservation purposes, or which does not have adequate water or wastewater facilities to serve the project.

(6) The development project is inconsistent with both the jurisdiction's zoning ordinance and general plan land use designation as specified in any element of the general plan as it existed on the date the application was deemed complete, and the jurisdiction has adopted a housing element pursuant to this article.

(e) Nothing in this section shall be construed to relieve the local agency from complying with the Congestion Management Program required by Chapter 2.6 (commencing with Section 65088) of Division 1 of Title 7 or the California Coastal Act (Division 20 (commencing with Section 30000) of the Public Resources Code). Neither shall anything in this section be construed to relieve the local agency from making one or more of the findings required pursuant to Section 21081 of the Public Resources Code or otherwise complying with the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(f) Nothing in this section shall be construed to prohibit a local agency from requiring the development project to comply with written development standards, conditions, and policies appropriate to, and consistent with, meeting the quantified objectives relative to the development of housing, as required in the housing element pursuant to subdivision (b) of Section 65583. Nothing in this section shall be construed to prohibit a local agency from imposing fees and other exactions otherwise authorized by law which are essential to provide necessary public services and facilities to the development project.

(g) This section shall be applicable to charter cities because the Legislature finds that the lack of housing is a critical statewide problem.

(h) The following definitions apply for the purposes of this section:

(1) "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

(2) "Housing development project" means a use consisting of either of the following:

(A) Residential units only.

(B) Mixed-use developments consisting of residential and nonresidential uses in which nonresidential uses are limited to

neighborhood commercial uses and to the first floor of buildings that are two or more stories. As used in this paragraph, "neighborhood commercial" means small-scale general or specialty stores that furnish goods and services primarily to residents of the neighborhood.

(3) "Housing for very low, low-, or moderate-income households" means that either (A) at least 20 percent of the total units shall be sold or rented to lower income households, as defined in Section 50079.5 of the Health and Safety Code, or (B) 100 percent of the units shall be sold or rented to moderate-income households as defined in Section 50093 of the Health and Safety Code, or middle-income households, as defined in Section 65008 of this code. Housing units targeted for lower income households shall be made available at a monthly housing cost that does not exceed 30 percent of 60 percent of area median income with adjustments for household size made in accordance with the adjustment factors on which the lower income eligibility limits are based. Housing units targeted for persons and families of moderate income shall be made available at a monthly housing cost that does not exceed 30 percent of 100 percent of area median income with adjustments for household size made in accordance with the adjustment factors on which the moderate income eligibility limits are based.

(4) "Area median income" means area median income as periodically established by the Department of Housing and Community Development pursuant to Section 50093 of the Health and Safety Code. The developer shall provide sufficient legal commitments to ensure continued availability of units for very low or low-income households in accordance with the provisions of this subdivision for 30 years.

(5) "Neighborhood" means a planning area commonly identified as such in a community's planning documents, and identified as a neighborhood by the individuals residing and working within the neighborhood. Documentation demonstrating that the area meets the definition of neighborhood may include a map prepared for planning purposes which lists the name and boundaries of the neighborhood.

(6) "Disapprove the development project" includes any instance in which a local agency does either of the following:

(A) Votes on a proposed housing development project application and the application is disapproved.

(B) Fails to comply with the time periods specified in subparagraph (B) of paragraph (1) of subdivision (a) of Section 65950. An extension of time pursuant to Article 5 (commencing with Section 65950) shall be deemed to be an extension of time pursuant to this paragraph.

(i) If any city, county, or city and county denies approval or imposes restrictions, including design changes, a reduction of allowable densities or the percentage of a lot that may be occupied by a building or structure under the applicable planning and zoning in force at the time the application is deemed complete pursuant to Section 65943, that have a substantial adverse effect on the viability or affordability of a housing development for very low, low-, or moderate-income households, and the denial of the development or the imposition of restrictions on the development is the subject of a court action which challenges the denial, then the burden of proof shall be on the local legislative body to show that its decision is consistent with the findings as described in subdivision (d) and that the findings are supported by substantial evidence in the record.

(j) When a proposed housing development project complies with applicable, objective general plan and zoning standards and criteria,

including design review standards, in effect at the time that the housing development project's application is determined to be complete, but the local agency proposes to disapprove the project or to approve it upon the condition that the project be developed at a lower density, the local agency shall base its decision regarding the proposed housing development project upon written findings supported by substantial evidence on the record that both of the following conditions exist:

(1) The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used in this paragraph, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

(2) There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to paragraph (1), other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.

(k) If in any action brought to enforce the provisions of this section, a court finds that the local agency disapproved a project or conditioned its approval in a manner rendering it infeasible for the development of housing for very low, low-, or moderate-income households, including farmworker housing, without making the findings required by this section or without making sufficient findings supported by substantial evidence, the court shall issue an order or judgment compelling compliance with this section within 60 days, including, but not limited to, an order that the local agency take action on the development project. The court shall retain jurisdiction to ensure that its order or judgment is carried out and shall award reasonable attorney fees and costs of suit to the plaintiff or petitioner who proposed the housing development, except under extraordinary circumstances in which the court finds that awarding fees would not further the purposes of this section. If the court determines that its order or judgment has not been carried out within 60 days, the court may issue further orders as provided by law to ensure that the purposes and policies of this section are fulfilled.

(1) In any action, the record of the proceedings before the local agency shall be filed as expeditiously as possible and, notwithstanding Section 1094.6 of the Code of Civil Procedure, all or part of the record may be filed (1) by the petitioner with the petition or petitioner's points and authorities, (2) by the respondent with respondent's points and authorities, (3) after payment of costs by the petitioner, or (4) as otherwise directed by the court. If the expense of preparing the record has been borne by the petitioner and the petitioner is the prevailing party, the expense shall be taxable as costs.

65589.6. In any action taken to challenge the validity of a decision by a city, county, or city and county to disapprove a project or approve a project upon the condition that it be developed at a lower density pursuant to Section 65589.5, the city, county, or city and county shall bear the burden of proof that its decision has conformed to all of the conditions specified in Section 65589.5.

65589.7. (a) The housing element adopted by the legislative body and any amendments made to that element shall be delivered to all public agencies or private entities that provide water services at retail or sewer services within the territory of the legislative body. When allocating or making plans for the allocation of available and future resources or services designated for residential use, each public agency or private entity providing water services at retail or sewer services, shall grant a priority for the provision of these available and future resources or services to proposed housing developments which help meet the city's, county's, or city and county's share of the regional housing need for lower income households as identified in the housing element adopted by the legislative body and any amendments made to that element.

(b) This section is intended to neither enlarge nor diminish the existing authority of a city, county or city and county in adopting a housing element. Failure to deliver a housing element adopted by the legislative body or amendments made to that element, to a public agency or private entity providing water services at retail or sewer services shall not invalidate any action or approval of a development project. The special districts which provide water services at retail or sewer services related to development, as defined in subdivision (e) of Section 56426, are included within this section.

(c) As used in this section, "water services at retail" means supplying water directly to the end user or consumer of that water, and does not include sale by a water supplier to another water supplier for resale.

65589.8. A local government which adopts a requirement in its housing element that a housing development contain a fixed percentage of affordable housing units, shall permit a developer to satisfy all or a portion of that requirement by constructing rental housing at affordable monthly rents, as determined by the local government.

Nothing in this section shall be construed to expand or contract the authority of a local government to adopt an ordinance, charter amendment, or policy requiring that any housing development contain a fixed percentage of affordable housing units.

APPENDIX B

TULARE COUNTY ZONING ORDINANCE SECTION 16: VARIANCES AND SPECIAL USE PERMITS

necessary supporting columns and reasonable architectural features.

- h. Cornices, eaves, belt courses, sills, buttresses, or similar architectural features not providing additional floor space within the building, and chimneys and fireplaces not exceeding eight (8) feet in width, may extend or project into a required side yard or space between structures not more than two (2) feet and may extend or project into a required front or rear yard not more than six (6) feet, provided that such features are not closer than three (3) feet to any side or rear lot line. No building, structure, or portion thereof may extend into a public utility easement. (Amended by Ord. No. 2516, effective 1-27-83.)
- i. (Unused)
- j. Fire escapes may extend or project into any front, side or rear yard not more than four (4) feet.
- k. Open, unenclosed stairways, or balconies not covered by a roof or canopy, may extend or project into a required rear yard not more than four (4) feet and such balconies and canopies may extend into a required front yard not more than thirty (30) inches.
- l. Uncovered porches, platforms or landing places which do not extend above the level of the first floor of the building, may extend into any front, side or rear yard not more than six (6) feet; provided, however, that an open work railing, not more than thirty (30) inches in height may be installed or constructed on any such porch, platform or landing place.
- m. Fences, hedges, landscape architectural features or guard railings for safety protection around depressed ramps, not more than three and one-half (3-1/2) feet in height, may be located in any front, side or rear yard. (Amended by Ord. No. 635, effective 10-24-57.)
- n. A fence or wall not more than six (6) feet in height,

or a hedge maintained so as not to exceed six (6) feet in height may be located along the side or rear lot lines, provided such fence, wall or hedge does not extend into the required front yard nor into the side yard required along the side street on a corner lot, which in this case shall also include that portion of the rear yard abutting the intersecting street wherein accessory buildings are prohibited, and provided further, that the provision shall not be so interpreted as to prohibit the erection of a fence enclosing an elementary or high school site if such fence does not project beyond the front line of the building.

- o. Trees, shrubs, flowers or plants shall be permitted in any required front, side or rear yard.
- p. Ground-mounted satellite television antennas shall be permitted in any required rear yard provided such structures are located at least five (5) feet from the nearest part of the main building on the same lot and at least five (5) feet from any rear or side property line. However, in the case of a reversed frontage on a corner lot, no ground-mounted satellite television antenna shall be located closer to the street than a distance equal to fifty (50) percent of the front yard required on the lots in the rear of such corner lot. (Added by Ord. No. 253 effective 6-16-83.)

AGRICULTURAL D. ZONES

Determination of Acreage

- 1. Various provisions of the agricultural zones established in this Ordinance refer to acreages of 160, 80, 40, 20, 10, 5, 2-1/12, and 1 acres. Except as otherwise expressly provided in this Ordinance, the provisions of this subsection shall be applied when making determinations of the number of acres in a particular parcel of property. (Subsection D.1 relocated from Section 2.5 by Ord. No. 2751, effective 2-1-87.)
 - a. When computing the acreage of a parcel of property, any portion of the parcel which is subject to an easement or right-of-way for road, ditch, public utility or railroad purposes shall not be

SECTION 16: VARIANCES AND SPECIAL USE PERMITS

(Amended by Ord. No. 810, effective 1-11-62;
Title amended by Ord. No. 2719, effective 8-28-86)

(NOTE: The initial paragraph was repealed by
Ord. No. 2719, effective 8-28-86.)

VARIANCES

I. (Part I was repealed and a new Part I added by Ord. No. 2719,
effective 8-28-86; amended by Ord. No. 2982, effective 1-2-92.)

A. When practical difficulties, unnecessary hardships or this Ordinance result through the strict and literal interpretation and enforcement of the provisions thereof, the Planning Commission of the County of Tulare, upon the receipt of a verified application from the owner of the property affected stating fully the grounds for the application and the facts relied upon, or upon the motion of said Commission, shall have authority as an administrative act, to grant, upon such conditions and safeguards as it may determine, such variances to the provisions of this Ordinance as may be in harmony with its general purpose and intent, so that the spirit of this Ordinance shall be observed, public safety and welfare secured and substantial justice done. Except, certain variances to the terms set forth in Subsection E of Part 15 of this Ordinance needed to obtain a building permit may be granted in the manner provided in Subsection B of this Part I.

MINOR MODIFICATIONS ON BUILDING PERMITS IN A STATE RESPONSIBILITY AREA

B. On building permits within a State Responsibility Area, the Tulare County Fire Warden or his duly authorized deputy, upon the receipt of a verified application from the owner of the property affected, stating fully the rounds for the application and the facts relied upon, shall have authority as an administrative act, to grant without notice and hearing certain minor modifications as variances to the terms of Subsection E of Section 15 of this Ordinance as may be in harmony with its general purpose and intent, so that the spirit of this Ordinance shall be observed, public safety and welfare secured and substantial justice done. For such purpose alone, the Tulare County Fire Warden or his duly authorized deputy is designated a Zoning Administrator. As Zoning Administrator, the Tulare County Fire Warden or his duly authorized deputy shall grant variances only in compliance with Government Code section 65906 and upon determining such variances are

consistent with the intent of this Ordinance and Title 14 of the California Code of Regulations, Sections 1270 through 1274.04. Such authority to grant variances is limited to the following:

1. Decreases not to exceed 10% of the lane width minimum requirements of Subsection E, Subpart 2, paragraphs a through c of this Ordinance.
2. Decreases not to exceed 10% of the clearance minimum or the grade maximum requirements of Subsection E, Subpart 2, paragraph a of this Ordinance.
3. Increases not to exceed 25% of the maximum distance before a turnout is required in Subsection E, Subpart 2, paragraph a of this Ordinance.
4. Decreases not to exceed 10% of the minimum width or length requirements for turnouts specified in Subsection E, Subpart 2, paragraph a of this Ordinance.
5. Changes not to exceed 20% of the minimum requirements set for turnaround or Hammerhead "T"'s in Subsection E, Subpart 2, paragraph a of this Ordinance.
6. Decreases not to exceed 10% of the setback requirements in Subsection E, Subpart 5, paragraph a of this Ordinance.
7. Changes consisting of allowing compliance with one or more of the Standards set forth in the most current edition at the time of adoption of this Subpart of the National Fire Protection Association Pamphlet 80-A as an alternative to the requirements in Subsection E, Subpart 5, paragraph b.

VARIANCE APPEALS

- C. All variances granted or denied by the Planning Commission or by the Tulare County Fire Warden or his duly authorized deputy under Subsection B shall be subject to appeal to the Board of Supervisors in the manner provided in Section 18 of this Ordinance.

**MINOR
DEVIATIONS**

D. The Planning and Development Director or his designee may grant certain minor deviations from established zoning development standards or restrictions within the following limits and according to the following procedures, provided the Director finds the request to be consistent with the General Plan, is in substantial compliance with this ordinance, is exempt from California Environmental Quality Act review, does not adversely affect surrounding properties, or the property of the applicant, and is for good cause and to avoid a substantial hardship:

1. Any minor deviation granted shall be within the following limits:
 - a. A decrease of not more than ten percent (10%) of the required minimum lot size, width or depth.
 - b. A decrease of not more than ten percent (10%) of the required width of a side yard or the required setback distance between buildings.
 - c. A decrease of not more than ten percent (10%) of the required front or rear yard.
 - d. An increase of not more than one (1) foot in the permitted height of a fence or wall.
 - e. An increase of not more than ten percent (10%) of the permitted projection of eaves, overhangs, or similar structures, into any required front, rear, or side yard.
 - f. An increase of not more than ten percent (10%) in the maximum allowable lot coverage.
 - g. An increase of not more than ten percent (10%) in the permitted height of buildings.
 - h. A single story addition built along existing building lines that encroaches into a front, side or rear yard where that yard was legally established but is nonconforming.
 - i. The permitted height of solid material fencing allowed in the rear and side

setbacks where there is a grade differential of more than thirty-six inches (36") between adjoining lots in the residential zones.

- j. Any encroachment into a required front yard of a developed residential lot, which does not project closer to the front property line than the forwardmost building line.
- k. An increase of not more than ten percent (10%) of the maximum lot size required for a homesite in an agricultural zone.
- l. A decrease of not more than ten percent (10%) in required setbacks for watercourses, not including sewage disposal systems.
- m. A decrease of not more than five (5) feet in the required separation between a main building and an accessory building located in a rear yard.
- n. An increase of not more than one (1) foot in the maximum height of a fence, hedge or landscape architectural feature located in any front, side or rear yard.
- o. A decrease of not more than 25% of the required separation between a structure used for human habitation and a pen, coop, stable, barn, corral, or other structure housing livestock or poultry.
- p. Such other circumstances as the Board of Supervisors may by resolution direct to be processed as a minor deviation.

(NOTE: The following is a list of the circumstances established by the Board of Supervisors which may be processed as a minor deviation.)

- i. A second story addition built along existing lines that encroaches into a front, side or rear yard where that

yard was legally established but is nonconforming (Resolution No. 96-0737, adopted 8/20/96).

(Section D added by Ord. No. 3160, effective 10-19-96)

2. A request for approval of a minor deviation shall be considered in accordance with the following process:
 - a. Application for Minor Deviations shall be made to the Planning and Development Director, in writing, on forms authorized, accompanied by the fee set forth in Section 18.
 - b. Notice of the application and the comment period shall be given to all owners of contiguous properties as shown on the latest equalized assessment roll by first-class mail at least ten (10) working days prior to the rendering of a decision by the Director. After receiving a request for a Minor Deviation for any of those items specified in paragraph 1, the Planning and Development Director shall either grant, deny, or grant with conditions, the application. The applicant, all owners of contiguous and adjacent property and members of the Planning Commission and Board of Supervisors shall be mailed a copy of the Director's decision. The decision shall be final unless appealed.
 - c. Appeals:
 - i. Any person adversely affected by the decision of the Director on a Minor Deviation may appeal the decision to the Board of Supervisors. An appeal to the Board of Supervisors shall be in writing and filed with the Clerk of the Board of Supervisors in accordance with Section 165 of the Ordinance Code of Tulare County.

- ii. At the next regular meeting of the Board of Supervisors following the filing of the appeal, the Board of Supervisors shall set the matter for hearing. The Clerk shall give notice of the time and place of the hearing in the manner provided in paragraph 2.b and in Section 165 of the Ordinance Code of Tulare County. In addition, the Clerk shall give notice to any other interested person who has requested notice of such hearing.
- iii. The Board of Supervisors shall hear the appeal in accordance with Section 165 of the Ordinance Code of Tulare County. After the appeal hearing, the Board of Supervisors may affirm, reverse, or modify the decision of the Planning and Development Director, or refer the matter to the Director for further action. The decision of the Board of Supervisors shall be final and conclusive as to all things involved in the matter.
- iv. Within seven (7) days after the action by the Board of Supervisors, the Clerk of the Board shall give written notice of the decision to the person filing the appeal, the applicant, the Planning and Development Director, the Planning Commission, and to any other person who requests such written notice. (Section D added by Ord. No. 3160, effective 06-15-96.)

**SPECIAL USE
PERMITS**

- II. A. The Planning Commission, upon receipt of a verified application from the owner of the property affected, stating fully the grounds for the application and the facts relied upon, or upon the motion of the said Commission, shall have authority, as an administrative act, to grant or deny Special Use Permits for the uses set forth in

**SPECIAL USES
AND ZONES IN
WHICH
ALLOWABLE**

Subsection B of this Part. Such Special Use Permits shall be granted or denied by the Planning Commission subject to a right of appeal to the Board of Supervisors in the manner provided in Section 18 of this Ordinance. (Amended by Ord. No. 2179, effective 11-23-78; amended by Ord. No. 2719, effective 8-28-86.)

- B. All of the following, and all structures and accessory uses directly related thereto, are declared to be special uses and permitted only in the various zones indicated below upon the granting of a Special Use Permit, and authority for the location and operation thereof shall be granted only under the provisions of Part II of this section. This declaration is based upon the fact that all of the uses herein enumerated possess characteristics of unique and special forms so as to make impractical their being included automatically in any specific zone. (Uses repealed from use list by Ord. No. 703, effective 8-27-59 and Ord. No. 1585, effective 5-31-73; amended by Ord. No. 2719, effective 8-28-86.)

Aircraft industries and service establishments engaged in manufacturing, testing, repair or maintenance services to aircraft used solely for agricultural purposes where such industries and services are located with an airport and/or heliport - AE, AE-10, AE-20, AE-40, AE-80, A-1. (Added by Ord. No. 2388, effective 12-12-80; amended by Ord. No. 2754, effective 1-15-87.)

Airport - AE-20, AE-40, AE-80, A-1, AF, RC, O, M-1, M-2, AP. However, no permit is required to locate an airport in the A-1 Zone in conformance with the Tulare County Airport Master Plan. (Amended by Ord. No. 422, effective 3-28-50; amended by Ord. No. 703, effective 8-27-59; amended by Ord. No. 731; effective 10-13-60; amended by Ord. No. 1169, effective 10-26-67; amended by Ord. No. 1585, effective 5-31-73; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 2320, effective 4-3-80; amended by Ord. No. 2407, effective 3-26-81; amended by Ord. No. 2956, effective 4-11-91.)

Airport, agricultural - AE, AE-10, AE-20, AE-40, AE-80, A-1, AF, O, M-1, M-2, AP. (Added by Ord. No. 1169, effective 10-26-67; amended by Ord. No. 1520, effective 8-31-72; amended by Ord. No.

1946, effective 8-12-76; amended by Ord. No. 2320, effective 4-3-80; amended by Ord. No. 2407, effective 3-26-81.)

Alcoholic beverages, sale of under an on-sale license - C-1, C-2, C-3, O, CO, M-1. (Amended by Ord. No. 1382, effective 5-28-70; amended by Ord. No. 1539, effective 1-11-73; amended by Ord. No. 1585, effective 5-31-73; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89.)

Animal hospital, clinic, and veterinarian office for large animals (i.e. horses, cattle, sheep, etc.) and/or small/domestic animals (i.e. dogs, cats, etc.) - RC, R-A, O, C-3, M-1, M-2, A-1, AE. (Added by Ord. No. 703, effective 8-27-59; amended by Ord. No. 1169, effective 10-26-67; amended by Ord. No. 1520, effective 8-31-72; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 2566, effective 9-29-83; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2956, effective 4-11-91; amended by Ord. No. 3131, effective 10-12-95.)

Animal hospital, clinic, and veterinarian office wherein only small/domestic animals (i.e. dogs, cats, etc.) are treated, providing all operations are conducted within a completely enclosed soundproof structure - CO, C-2, C-3. (Added by Ord. No. 703, effective 8-27-59; amended by Ord. No. 731, effective 10-13-60; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89; amended by Ord. No. 3131, effective 10-12-95.)

Animal hospital, clinic, and veterinarian office wherein primarily large animals (i.e. horses, cattle, sheep, etc.) are treated; not to include facilities whose primary purpose is to treat small/domestic animals (i.e. dogs, cats, etc.) - AE-10, AE-20, AE-40, AE-80. (Added by Ord. No. 3131, effective 10-12-95.)

Animal sales yard - AE, AE-20, AE-40, AE-80, A-1, AF, M-2. (Added by Ord. No. 702, effective 8-27-59; amended by Ord. No. 1169, effective 10-26-67;

amended by Ord. No. 1520, effective 8-31-72;
amended by Ord. No. 1585, effective 5-31-73;
amended by Ord. No. 1946, effective 8-12-76;
amended by Ord. No. 2407, effective 3-26-81.)

Assemblage of people for educational or entertainment

purposes in a building or open area not otherwise approved for assemblage under this Ordinance and including but not limited to auto shows, boat shows, art shows, exhibitions and auctions - AE, AE-10, AE-20, AE-40, AE-80, A-1, AF, RC, CO, C-1, C-2, C-3, M-1, M-2. (However, in no case shall auto shows, boat shows, art shows, exhibitions, and auctions be allowed in the AE, AE-10, AE-20, AE-40, or AE-80 zones.)

Notwithstanding any other provision of this Part, a use permit for the assemblage of people may include approval of sales of alcoholic beverages under an on-sale license. (Amended by Ord. No. 703 effective 8-27-59; amended by Ord. No. 731, effective 10-13-60; amended by Ord. No. 1169, effective 10-26-67; amended by Ord. No. 1520, effective 8-31-72; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 2407, effective 3-26-81; amended by Ord. No. 2566, effective 9-29-83; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89; amended by Ord. No. 2956, effective 4-11-91; amended by Ord. No. 3131, effective 10-12-95.)

Automobile parking lots, public parking areas or

storage garages on property adjacent to any "C" Zone (CO, C-1, C-2 or C-3 Zones) -R-A, R-O, R-1, R-2, R-3. (Relocated from Part I.C and amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89.)

Automobile wrecking - C-3, M-1, M-2. Provided, however, that in the C-3 and M-1 Zones automobile wrecking shall be limited to only the dismantling, storage or sale of used motor vehicle parts and no outside storage or wrecking of car bodies or wrecked vehicles shall be allowed. (Added by Ord. No. 2542, effective 7-7-83; amended by Ord. No. 2719, effective 8-28-86.)

Ball Park - A-1, AE, O, CO, C-2, C-3, M-1, AP. (Added by Ord. No. 703, effective 8-27-59; amended by Ord. No. 1585, effective 5-31-73; amended by Ord. No. 2320, effective 4-3-80; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89.)

Biomass Fuel Manufacture, commercial - AE, AE-10, AE-20, AE-40, AE-80, A-1, AF, RC, M-1, M-2. (Added by Ord. No. 2407, effective 3-26-81; amended by Ord. No. 2956, effective 4-11-91.)

Biomass Fuel Manufacture, personal - AE, A-1, M-1, M-2. (Added by Ord. No. 2350, effective 7-31-80.)

Borrow pit - AE, AE-10, AE-20, AE-40, AE-80, A-1, AF, RC, R-A, O, M-1, M-2, AP. Provided, however, that no Use Permit shall be required if a surface mining permit and/or reclamation plan is required under the provisions of Section 7-25-1000 et. seq. of the Ordinance Code of Tulare County. (Added by Ord. No. 1169, effective 10-26-67; amended by Ord. No. 1520, effective 8-31-72; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 2220, effective 3-29-79; amended by Ord. No. 2320, effective 4-3-80; amended by Ord. No. 2407, effective 3-26-81; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2956, effective 4-11-91.)

Bowling Alley - CO, C-2, C-3, O, M-1. (Added by Ord. No. 703, effective 8-27-59; amended by Ord. No. 1539, effective 11-1-73; amended by Ord. No. 1585, effective 5-31-73; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89.)

Cabaret, night club, dancing or entertainment in a bar, cafe or restaurant - O, CO, C-2, C-3, M-1. (Added by Ord. No. 703, effective 8-27-59; amended by Ord. No. 731, effective 10-13-60; amended by Ord. No. 1539, effective 1-11-73; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89.)

Campground - AE-10, AE-20, AE-40, AE-80, A-1, AF,

RC, MR, O, CO, C-2. (Added by Ord. No. 1527, effective 10-12-72; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 2407, effective 3-26-81; amended by Ord. No. 2910, effective 12-28-89; amended by Ord. No. 2956, effective 4-11-91.)

Carnival - A-1, CO, C-2, C-3, M-1, M-2. (Amended by Ord. No. 703, effective 8-27-59; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89.)

Cemetery, columbarium, mausoleum, crematory - AE, AE-10, AE-20, AE-40, AE-80, A-1, AF, RC, R-A, MR, R-O, R-3, AP. (Amended by Ord. No. 703, effective 8-27-59; amended by Ord. No. 1585, effective 5-31-73; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 2320, effective 4-3-80; amended by Ord. No. 2407, effective 3-26-81; amended by Ord. No. 2956, effective 4-11-91.)

Church - AE, AE-10, AE-20, AE-40, AE-80, A-1, AF, RC, R-A, MR, R-O, R-1, R-2, R-3, O, CO, C-1, C-2, C-3. (Added by Ord. No. 703, effective 8-27-59, amended by Ord. No. 731, effective 10-13-60; amended by Ord. No. 1169, effective 10-16-67; amended by Ord. No. 1520, effective 8-31-72; amended by Ord. No. 1585, effective 5-31-73; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 2407, effective 3-26-81; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89; amended by Ord. No. 2956, effective 4-11-91.)

Circus - A-1, AE, C-3, M-1, M-2. (Amended by Ord. No. 703, effective 8-27-59; amended by Ord. No. 1585, effective 5-31-73; amended by Ord. No. 2719, effective 8-28-86.)

Contractor's Storage Yards which do not qualify as a rural home occupation pursuant to Section 15, Subsection A, paragraph 7c, and which do not involve any manufacture, fabrication or retail sales of construction material or equipment, provided that the use is accessory to an on-site dwelling unit occupied by the owner of the facility and provided

further that the lot or parcel does not exceed five (5) acres in size - A-1, AE, AE-10, AE-20, AE-40, AE-80, AF, RC. No special use permit for a contractor's storage yard shall be approved unless the open storage of materials and equipment is restricted to an area surrounded and screened by a solid wall or fence or compact evergreen hedge (with solid gates where necessary), not less than six (6) feet in height, provided that no materials shall be stored to a height greater than that of the wall, fence or hedge. (Added by Ord. No. 2810, effective 12-31-87; amended by Ord. No. 2956, effective 4-11-91.)

Dairy - when more than 25 cows are on the property at any time - A-E, AE-20, AE-40, AE-80, A-1, AF. (Added by Ord. No. 1520, effective 8-31-72; amended by Ord. No. 1526, effective 10-5-72; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 2407, effective 3-26-81.)

Dance hall - O, CO, C-2, C-3, M-1. (Added by Ord. No. 703, effective 8-27-59; amended by Ord. No. 1539, effective 1-11-73; amended by Ord. No. 1585, effective 5-31-73; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89.)

Equestrian establishments such as academies, schools, and stables - AE, AE-10, AE-20, AE-40, AE-80, A-1, AF, RC, R-A, MR, O, CO, M-1. (Added by Ord. No. 731, effective 10-13-60; amended by Ord. No. 967, effective 10-15-64; amended by Ord. No. 1169, effective 10-26-67; amended by Ord. No. 1520, effective 8-31-72; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 2407, effective 3-26-81; amended by Ord. No. 2910, effective 12-28-89; amended by Ord. No. 2956, effective 4-11-91.)

Expansion, Alteration or Replacement of non-conforming buildings and uses which were legally established in accordance with all applicable building and zoning regulations on or before the effective date of a reclassification of zones encompassing the property and which are now nonconforming under Section 15, Subsection

A, USE, paragraph 4, - AE, AE-10, AE-20, AE-40, AE-80, A-1, AF, RC, R-A, MR, R-O, R-1, R-2, R-3, O, CO, P-O, P-1, C-1, C-2, C-3, M-1, M-2, AP. (Added by Ord. No. 2708, effective 5-30-86; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89; amended by Ord. No. 2956, effective 4-11-91.)

Fairground - A-1, C-2, C-3, M-1, M-2. (Amended by Ord. No. 703, effective 8-27-59; amended by Ord. No. 2719, effective 8-28-86.)

Farmworker Housing - R-A, AE, AE-10, AE-20, AE-40, AE-80, A-1, AF, and where the farmworker housing consists of manufactured homes, mobilehomes or recreation vehicles - R-2, R-3, C-2. (Added by Ord. No. 3009, effective 9-24-92.)

Fire Station - AE, AE-10, AE-20, AE-40, AE-80, A-1, AF, RC, R-A, MR, R-O, R-1, R-2, R-3, O, CO, P-O, P-1, C-1, C-2, C-3, M-1, M-2, AP. (Added by Ord. No. 1311, effective 6-19-69; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 2320, effective 4-3-80; amended by Ord. No. 2407, effective 3-26-81; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89; amended by Ord. No. 2956, effective 4-11-91.)

Flammable liquids stored above ground for a period of forty-eight (48) hours or more in containers having an aggregate capacity in excess of two thousand (2,000) gallons per lot or parcel, or contiguous lots or parcels, in permanent, temporary or mobile containers, indoors or outdoors, whether intended for commercial or private use on or off the premises, and where stored as a primary, accessory or incidental use - A-1, AE-20, AE-40, AE-80, AF, RC, CO, C-3, M-1, M-2 *except that a Special Use Permit shall not be required to locate propane and/or gasoline tanks, with an aggregate capacity of 10,000 gallons in size or smaller, for personal agricultural use exclusively, in the AE-10, AE-20, AE-40, AE-80, AF, and RC zones, provided the property upon which the storage tank(s) is/are to be placed is outside of any Urban Area Boundary, Urban Improvement*

Area and/or Urban Development Boundary, also provided that the parcel or contiguous parcels upon which the tank(s) is/are to be placed contain at least ten (10) acres or more (sectional 10 acres included), and further provided that the development standards incorporated herein under Section 15 are met in full. For all contiguous ownership, regardless of the number of parcels or overall amount of acreage, the maximum aggregate above-ground storage of flammable fuel shall not exceed 10,000 gallons unless a Special Use Permit is approved. Regardless of the foregoing, no permit is required to store flammable liquids in railroad tank cars when such tank cars are located on property under railroad company ownership. Also, regardless of the foregoing, a special use permit shall not be required for cargo tanks on vehicles used for highway transportation of flammable liquids even though they may be parked or stored at one location for a period in excess of forty-eight (48) hours because of vehicle repairs, acts of God or other reasons that make it impractical for the vehicle to deliver the flammable liquids within said forty-eight (48) hour period, so long as the owner of the vehicle or the load, or anyone acting on their behalf notifies the Director of the Tulare County Resource Management Agency or his designee within said forty-eight (48) hour period of the location of the vehicle and the reason for the storage. The Director of the Tulare County Resource Management Agency or his designee shall notify the County Fire Warden of the location of such vehicles. (Added by Ord. No. 1557, effective 4-12-73; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 2407, effective 3-26-81; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89; amended by Ord. No. 2956, effective 4-11-91; amended by Ord. No. 3219, effective March 11, 1999.)

Golf course - AE, AE-10, AE-20, AE-40, AE-80, A-1, AF, RC, R-A, R-O, O, CO, AP. (Added by Ord. No. 703, effective 8-27-59; amended by Ord. No. 731, effective 10-13-60; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No.

2320, effective 4-3-80; amended by Ord. No. 2407, effective 3-26-81; amended by Ord. No. 9-10, effective 12-28-89; amended by Ord. No. 2956, effective 4-11-91.)

Golf driving range - A-1, O, CO, C-2, AP. (Added by Ord. No. 703, effective 8-27-59; amended by Ord. No. 1585, effective 5-31-73; amended by Ord. No. 2320, effective 4-3-80; amended by Ord. No. 2910, effective 12-28-89.)

Hazardous waste facility, Specified - AE-10, AE-20, AE-40, AE-80, AF, M-1, M-2. No special use permit for a specified hazardous waste facility shall be approved unless the Board of Supervisors finds, based upon substantial evidence in the record, that the facility is consistent with Sections 7.2 and 7.3 of the Tulare County Hazardous Waste Management Plan which identify siting criteria for hazardous waste facilities. (Added by Ord. No. 2918, effective 8-25-90.)

Helipoint - AE, AE-10, AE-20, AE-40, AE-80, A-1, AF, RC, O, CO, P-O, C-2, C-3, M-1, M-2, AP. (Added by Ord. No. 1169, effective 10-26-67; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 2320, effective 4-3-80; amended by Ord. No. 2407, effective 3-26-81; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89; amended by Ord. No. 2956, effective 4-11-91.)

Helipoint, agricultural - AE, AE-10, AE-20, AE-40, AE-80, A-1, AF, RC, O, M-2, AP. (Added by Ord. No. 1169, effective 10-26-67; amended by Ord. No. 1520, effective 8-31-73; amended by Ord. No. 1585, effective 5-31-73; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 2320, effective 4-3-80; amended by Ord. No. 2407, effective 3-26-81; amended by Ord. No. 2956, effective 4-11-91.)

Hospital, sanitarium and nursing home - A-1, R-A, MR, R-3, P-O, C-2. (Amended by Ord. No. 703, effective 8-27-59; amended by Ord. No. 1585, effective 5-31-73; amended by Ord. No. 2956, effective 4-11-91.)

Jails or correctional institution - AE-20, AE-40, AE-80, A-1, AF, C-2, C-3, M-1, M-2. However, no permit is required to locate a jail or correctional institution in conformance with the Public Buildings Element of the Tulare County General Plan. (Added by Ord. No. 2430, effective 8-28-81; amended by Ord. No. 2719, effective 8-28-86.)

Kennels - for commercial breeding, boarding, training or other commercial purposes. AE, AE-10, AE-20, AE-40, AE-80, A-1, AF, RC, R-A, O, CO, C-2, C-3, M-1, M-2, AP. Further, a special use permit shall also be required in the R-A Zone for a kennel for private, noncommercial use. (Added by Ord. No. 2335, effective 6-5-80; amended by Ord. No. 2407, effective 3-26-81; amended by Ord. No. 2566, effective 9-29-83; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2828, effective 3-31-88; amended by Ord. No. 2910, effective 12-28-89; amended by Ord. No. 2956, effective 4-11-91.)

Labor camp, permanent - A-E, AE-10, AE-20, AE-40, AE-80, A-1, AF, R-3, C-2. (Amended by Ord. No. 1073, effective 6-16-66; amended by Ord. No. 1169, effective 10-26-67; amended by Ord. No. 1520, effective 8-31-72; amended by Ord. No. 1585, effective 5-31-73; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 2407, effective 3-26-81.)

Memorial building, theatre, auditorium, not including school auditorium - R-3, CO, C-1, C-2. (Amended by Ord. No. 703, effective 8-27-59; amended by Ord. No. 1539, effective 1-11-73; amended by Ord. No. 2910, effective 12-28-89.)

Miniature golf course - O, CO, C-2, C-3, M-1. (Added by Ord. No. 1539, effective 1-11-73; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89.)

Mining or extraction of metals, minerals, oil, gas, or hydrocarbons, together with necessary buildings, apparatus, and appurtenances incidental thereto - AE, AE-10, AE-20, AE-40, AE-80, A-1, AF, RC,

R-A, MR, R-O, R-1, R-2, R-3, O, P-O, P-1, C-1, C-2, C-3, M-1, M-2, AP. Provided, however, that no Use Permit shall be required if a surface mining permit and/or reclamation plan is required under the provisions of Section 7-25-1000 et. seq. of the Ordinance Code of Tulare County. (Amended by Ord. No. 703, effective 8-27-59; amended by Ord. No. 731, effective 10-13-60; amended by Ord. No. 1169, effective 10-26-67; amended by Ord. No. 1169, effective 10-26-67; amended by Ord. No. 1520, effective 8-13-72; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 2220, effective 3-29-79; amended by Ord. No. 2320, effective 4-3-80; amended by Ord. No. 2407, effective 3-26-81; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2956, effective 4-11-91.)

Mobilehome development - R-A, MR, R-O, R-1, R-2, R-3. However, no special use permit shall be required if any of the aforementioned zones is combined with the M, Special Mobilehome Combining Zone as set forth in Section 14.3 of this Ordinance. (Added by Ord. No. 2480, effective 7-1-82; amended by Ord. No. 2956, effective 4-11-91.)

Mobilehome parks - R-A, MR, R-O, R-1, R-2, R-3, O, CO. (Added by Ord. No. 1149, effective 7-27-67; amended by Ord. No. 1539, effective 1-11-73; amended by Ord. No. 1585, effective 5-31-73; amended by Ord. No. 2480, effective 7-1-82; amended by Ord. No. 2910, effective 12-28-89; amended by Ord. No. 2956, effective 4-11-91.)

Motion picture studio - C-2, C-3. (Relocated From Part I.D and amended by Ord. No. 2719, effective 8-28-86.)

Nursery school - R-A, MR, R-1, R-2, R-3, O, CO, C-1, C-2. (Added by Ord. No. 703, effective 8-27-59; amended by Ord. No. 731, effective 10-13-60; amended by Ord. No. 1539, effective 1-11-73; amended by Ord. No. 1585, effective 5-31-73; amended by Ord. No. 2910, effective 12-28-89; amended by Ord. No. 2956, effective 4-11-91.)

Police station - MR, AE, AE-10, AE-20, AE-40, AE-80, A-1, AF, RC, O, CO, P-O, C-1, C-2, C-3, M-1, M-2, AP. (Added by Ord. No. 1528, effective 10-12-72; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 2320, effective 4-3-80; amended by Ord. No. 2407, effective 3-26-81; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89; amended by Ord. No. 2956, effective 4-11-91.)

Private club, lodge, fraternity, sorority, excluding those the chief activity of which is a service customarily carried on as a business - R-A, MR, R-3, O, CO, C-1, C-2, C-3. (Added by Ord. No. 703, effective 8-27-59; amended by Ord. No. 731, effective 10-13-60; amended by Ord. No. 1539, effective 1-11-73; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89; amended by Ord. No. 2956, effective 4-11-91.)

Public Park or playground - AE, AE-10, AE-20, AE-40, AE-80, A-1, AF, RC, R-A, MR, R-O, R-1, R-2, R-3, O, CO, C-1, C-2, AP. (Added by Ord. No. 703, effective 8-27-59; amended by Ord. No. 731, effective 10-13-60; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 2320, effective 4-3-80; amended by Ord. No. 2407, effective 3-26-81; amended by Ord. No. 2910, effective 12-28-89; amended by Ord. No. 2956, effective 4-11-91.)

Public utility structure - AE, AE-10, AE-20, AE-40, AE-80, A-1, AF, RC, R-A, MR, R-O, R-1, R-2, R-3, P-O, P-1, O, CO, C-1, C-2, C-3, AP. (Added by Ord. No. 1169, effective 10-26-27; amended by Ord. No. 1520, effective 8-31-72; amended by Ord. No. 1585, effective 5-31-83; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 2320, effective 4-3-80; amended by Ord. No. 2407, effective 3-26-81; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89; amended by Ord. No. 2956, effective 4-11-91.)

Public Works Maintenance Facilities - MR, AE, AE-10, AE-20, AE-40, AE-80, A-1, AF, AP. (Added by Ord. No. 1717, effective 5-7-74; amended by Ord.

No. 1946, effective 8-12-76; amended by Ord. No. 2320, effective 4-3-80; amended by Ord. No. 2407, effective 3-26-81; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2956, effective 4-11-91.)

Race track, including drag track, quarter midget track, go-cart track, motorcycle track, automobile, horse, and other tracks, excepting school track - A-1, C-3, M-1, M-2, AP. (Amended by Ord. No. 703, effective 8-27-59; amended by Ord. No. 1585, effective 5-31-73; amended by Ord. No. 2320, effective 4-3-80; amended by Ord. No. 2719, effective 8-28-86.)

Radio, microwave and television towers in excess of seventy-five (75) feet in height or within two miles of an airport or heliport - AE, AE-10, AE-20, AE-40, AE-80, A-1, AF, RC, R-A, MR, R-O, R-1, R-2, R-3, O, P-O, P-1, CO, C-1, C-2, C-3, M-1, M-2. (Amended by Ord. No. 703, effective 8-27-59; amended by Ord. No. 1169, effective 10-26-67; amended by Ord. No. 1520, effective 8-31-72; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 2407, effective 3-26-81; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89; amended by Ord. No. 2956, effective 4-11-91.)

Recreation center - AE, AE-10, AE-20, AE-40, AE-80, A-1, AF, R-A, MR, R-O, R-1, R-2, R-3, O, CO, C-1, C-2, C-3. (Amended by Ord. No. 703, effective 8-27-59; amended by Ord. No. 1585, effective 5-31-73; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 2407, effective 3-26-81; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89; amended by Ord. No. 2956, effective 4-11-91.)

Recreation Vehicle Park - MR, O, A-1, CO, C-2, AE-10, AE-20, AE-40, AE-80, AF, RC. (Added by Ord. No. 2453, effective 12-24-81; amended by Ord. No. 2956, effective 4-11-91.)

Religious revival meeting - (Added by Ord. No. 703, effective 8-27-59; amended by Ord. No. 1169,

effective 10-26-67; amended by Ord. No. 1520, effective 8-31-72; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 2407, effective 3-26-81; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2956, effective 4-11-91; repealed by Ord. No. 3131, effective 10-12-95.)

Rifle, pistol, shotgun, and archery clubs and ranges -

A-1, AE, AE-10, AE-20, AE-40, AE-80, AF, RC, O. Regardless of the foregoing, no permit is required for rifle, pistol, shotgun and archery ranges maintained for private use by residents residing on the property on which the range is located. Also, regardless of the foregoing, a special use permit shall not be required for indoor ranges which are customarily accessory and incidental to the conduct of an allowed use. (Added by Ord. No. 1602, effective 7-5-73; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 2407, effective 3-2-61; amended by Ord. No. 2956, effective 4-11-91.)

Rodeo ground or roping arena - AE, AE-10, AE-20,

AE-40, AE-80, A-1, AF, RC, O, CO, M-1, M-2, AP. (Added by Ord. No. 703, effective 8-27-59; amended by Ord. No. 1169, effective 10-26-67; amended by Ord. No. 1520, effective 8-31-72; amended by Ord. No. 1585, effective 5-31-73; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 2320, effective 4-3-80; amended by Ord. No. 2407, effective 8-26-81; amended by Ord. No. 2956, effective 4-11-91.)

Satellite television antennas with a reflector area

exceeding one hundred twenty (120) square feet - CO, R-A, MR, R-O, R-1, R-2. As used herein, the reflector area shall be determined by computing the area of the horizontal plane or space across the face of the receiving component. (Added by Ord. No. 2538, effective 6-6-83; amended by Ord. No. 2910, effective 12-28-89; amended by Ord. No. 2956, effective 4-11-91.)

School, private - AE, AE-10, AE-20, AE-40, AE-80, A-

1, AF, RC, R-A, MR, R-O, R-1, R-2, R-3, O, CO, P-O, P-1, C-1, C-2, C-3, M-1. (Added by Ord.

No. 1169, effective 10-16-67; amended by Ord. No. 1520, effective 8-31-72; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 1407, effective 3-26-81; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89; amended by Ord. No. 2956, effective 4-11-91.)

School, public - AE, AE-10, AE-20, AE-40, AE-80, A-1, AF, RC, R-A, MR, R-O, R-1, R-2, R-3, O, CO, P-O, P-1, C-1, C-2, C-3, M-1. (Added by Ord. No. 1169, effective 10-26-67; amended by Ord. No. 1520, effective 8-31-72; amended by Ord. No. 1946, effective 8-12-76; amended by Ord. No. 2407, effective 3-26-81; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89; amended by Ord. No. 2956, effective 4-11-91.)

Skating rink, roller and ice - O, CO, C-2, C-3, M-1. (Added by Ord. No. 703, effective 8-27-59; amended by Ord. No. 731, effective 10-13-60; amended by Ord. No. 1539, effective 1-11-73; amended by Ord. No. 1585, effective 5-31-73; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89.)

Solid Waste Disposal Truck Facility - if located within the Urban Area Boundary or Urban Development Boundary of an unincorporated community and if more than one-half (1/2) of the solid waste collection service within Tulare County, measured by tonnage is provided to unincorporated areas - AE-20, AE-40, AE-80, A-1, AF. (Added by Ord. No. 3026, effective 4-22-93.)

Solid Waste Recycling Operation - AE-10, AE-20, AE-40, AE-80, A-1, AF, RC, C-2, C-3, M-1, M-2, AP. Provided, however, that in the C-2 and C-3 Zones a solid waste recycling operation shall be limited only to the collection and assemblage of solid waste materials from previously prepared products, not including waste food materials, for transport to other sites for recycling, processing, manufacture or treatment and, provided further that a special use permit shall not be required for a recycling collection center which is operated as an

accessory use in the C-2, C-3, M-1, and M-2 Zones and for permitted transfer facilities in the M-1 and M-2 Zones. (Added by Ord. No. 2542, effective 7-7-83; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2817, effective 2-18-88; amended by Ord. No. 2901, effective 11-2-89; amended by Ord. No. 2956, effective 4-11-91.)

Stadium or sports arena, excluding school - A-1, O, CO, C-2, C-3, M-1. (Added by Ord. No. 703, effective 8-27-59; amended by Ord. No. 1585, effective 5-31-73; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89.)

Swap Meet - C-2, C-3, M-1. (Added by Ord. No. 2719, effective 8-28-86.)

Tallow manufacture and/or disposal of agricultural animals - AE-40, AE-80, AF (Added by Ord. No. 2977, effective 10-30-91.)

Temporary buildings and uses not otherwise expressly permitted by the zone in which located, for periods of not to exceed two (2) years if located outside of an Urban Improvement Area or Urban Development Boundary adopted pursuant to the Urban Boundaries Element of the General Plan, and for periods of not to exceed six (6) months if located within an Urban Improvement Area or Urban Development Boundary - AE, AE-10, AE-20, AE-40, AE-80, A-1, AF, RC, R-A, MR, R-O, R-1, R-2, R-3, O, CO, P-O, P-1, C-1, C-2, C-3, M-1, M-2, AP. (Relocated from Part I.G and amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89; amended by Ord. No. 2956, effective 4-11-91.)

Theatre, open air and drive in - CO, C-2, C-3, M-1. (Amended by Ord. No. 703, effective 8-27-59; amended by Ord. No. 1539, effective 1-11-73; amended by Ord. No. 1585, effective 5-31-73; amended by Ord. No. 2719, effective 8-28-86; amended by Ord. No. 2910, effective 12-28-89.)

Waste and refuse disposal sites, private and public - A-1,

AE, AE-10, AE-20, AE-40, AE-80, AF, RC, M-2.
(Added by Ord. No. 1602, effective 7-5-73;
amended by Ord. No. 1946, effective 8-12-76;
amended by Ord. No. 2407, effective 3-26-81;
amended by Ord. No. 2956, effective 4-11-91.)

A Special Use Permit shall be granted only if it is found that the establishment, maintenance and operation of the use of building or land applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood or to the general welfare of the County. Special Use Permits may be granted subject to such conditions as will insure compliance with the aforementioned standards. (Added by Ord. No. 703, effective 8-27-59; amended by Ord. No. 1169, effective 10-26-67.)

In addition to the special uses listed herein-above, certain zones included in this Ordinance also contain additional special uses which require Special Use Permits. (Added by Ord. No. 1371, effective 4-16-70; amended by Ord. No. 1520, effective 8-31-72.)

**AUTHORITY TO
IMPOSE
CONDITIONS**

- C. All Special Use Permits shall be approved and allowed subject to such conditions and safeguards as the authority granting the permit shall specify, under the provisions of this Part and Part III of this Section pertaining to Variances, provided that showings required by Paragraph C of part III of this Section need not be made (Amended by Ord. No. 481, effective 11-29-51; amended by Ord. No. 1557, effective 4-12-73; amended by Ord. No. 2179, effective 11-12-78.)

**SPECIAL USE
PERMITS AND
VARIANCES:
ZONING
ADMINISTRATOR**

- D. 1. As an alternative to the procedures otherwise set forth in this Ordinance for acting on Special Use Permits and for acting on variances allowed under Parts I and II of this Section, the Board of Supervisors may, by resolution, authorize the Zoning Administrator to hold the hearing and make the decision on applications for specified Special Use Permits and variances. The Board may also adopt criteria, standards, policies and controls to provide assistance and guidance to the Zoning Administrator in making decisions under the standards which are set forth in this Ordinance. (Added by Ord. No. 481, effective 11-29-51; amended by Ord. No. 1972, effective 11-8-76.)

2. When so authorized, the Zoning Administrator shall hear and decide applications for such Special Use Permits and variances pursuant to the following procedures: (Added by Ord. No. 1972, effective 11-8-76.)

a. The Zoning Administrator shall prescribe the form, contents and manner of preparing and submitting the application for a Special Use Permit or variance. The fee prescribe in Section 18 of this Ordinance shall be paid at the time that the application for Special Use Permit or variance is filed.

b. There shall be a public hearing before the Zoning Administrator on each application. The Zoning Administrator shall set the public hearing on a date not more than thirty (30) days after the filing of the application. However, if an environmental impact report is required to be prepared under the Environmental Quality Act of 1970, and regulations adopted pursuant thereto, the thirty (30) day period shall not start to run until all required procedures in connection with the environmental impact report have been completed.

(1) If the Special Use Permit or variance will allow new residential use of the property and such residential use is not allowed without such Permit or variance, the following shall apply:

(a) If a school district in which the proposed special use or variance is located has made the findings specified in Section 7-21-1015 of the Ordinance Code of Tulare County and the Board of Supervisors has concurred in such findings and determined the fees payable by a developer in accordance with Sections 7-21-1020 and 7-21-1040 of the Ordinance Code, the Zoning Administrator shall not approve the proposed Special Use Permit or variance without finding that the fees previously determined by the

Board are required, and imposing such fees as a condition of approval.

(b) The applicant may appeal the requirements of fees to the Board of Supervisors in accordance with Section 7-21-1030 of the Ordinance Code of Tulare County. (Amended by Ord. No. 2668, effective 10-3-85.)

(2) If the Special Use Permit or variance will allow a use of real property which is subject to review by the Site Plan Review Committee under Section 16.2 of this Ordinance, the Zoning Administrator shall notify the Site Plan Review Committee of the fact that the permit or variance is under consideration. No decision of the Zoning Administrator on a Special Use Permit or variance subject to review by the Site Plan Review Committee shall be made unless and until the Site Plan Review Committee submits a written report as required by this Ordinance. (Paragraph (2) added by Ord. No. 2417, effective 5-28-82; amended by Ord. No. 2668, effective 10-3-85.)

c. Not less than ten (10) days prior to the public hearing, the Zoning Administrator shall cause notice of hearing to be given in accordance with Section 65905 of the Government Code of the State of California. (Amended by Ord. No. 2647, effective 2-28-85.)

d. The decision of the Zoning Administrator shall be in writing and shall include findings of facts relied on in making the decision.

e. A copy of the decision of the Zoning Administrator shall be publicly posted at or near the door of the Planning Department for a period of one (1) week following the making thereof. Not more than two (2) days after making the decision on the application, the Zoning Administrator shall cause a copy of the decision to

be mailed to the applicant, to the Board of Supervisors, and to any other person who has expressed an interest therein and has deposited with the Zoning Administrator a self-addressed, stamped envelope for this purpose. Failure to mail or to receive such notice, as a result of mistake or inadvertence, shall not affect the validity of the decision.

- f. Any person adversely affected by a decision of the Zoning Administrator on the Special use Permit or variance may appeal the decision to the Board of Supervisors. An appeal to the Board of Supervisors shall be in writing and filed with the Clerk of the Board of Supervisors within ten (10) days after the date on which the decision of the Zoning Administrator was made. An appeal shall specifically set forth the grounds for the appeal. Notice of the appeal hearing shall be given by the Clerk of the Board of Supervisors in the same manner as set forth in subparagraph c above. Action on the appeal shall be taken in accordance with Section 65903 of the Government Code and the required notices under Section 65863.5 of the Government Code. (Amended by Ord. No. 2069, effective 12-8-77.)
- g. The decision of the Zoning Administrator shall become final ten (10) days after the date the decision is made if no appeal has been filed pursuant to paragraph f above. When no appeal has been filed, the Zoning Administrator shall give the required notices under Section 65863.5 of the Government Code on behalf of the Board of Supervisors.
- h. The procedures set forth above constitutes an alternative procedure to any otherwise provided in this Ordinance for granting Special Use Permits and variances. However, unless the applicant requests that the Planning Commission hear the application, the procedure set forth herein shall be followed by the Zoning Administrator whenever applicable.

AMENDMENTS: E. Any person holding a Special Use Permit may apply for an amendment to the permit by filing an application with the

Planning and Development Director. For purposes of this subpart, the amendment of a Special Use Permit may include modifications of the terms of the permit itself, or the application, waiver or alteration of conditions. The same procedures shall be followed in processing an application for the amendment of a Special Use Permit as are applicable to a new permit under this ordinance including, but not limited to, the public notices, hearings and appeal rights set forth in Section 18. (Former provision for temporary buildings and uses added by Ord. No. 764, effective 4-23-61; amended by Ord. No. 1094, effective 9-1-66; repealed by Ord. No. 1972, effective 11-8-76; new subpart added by Ord. No. 2-8-84, effective 9-9-89.)

SPECIAL USE
PERMITS
SUBJECT TO THE
RURAL VALLEY
LANDS PLAN
(RVLP) PARCEL
EVALUATION
CRITERIA

- F. Special Use Permits for the following uses shall not be approved in the AE, AE-10, AE-20, AE-40, or AE-80 zones on property located outside of an Urban Area Boundary or outside of an Urban Development Boundary (if no Urban Area Boundary has been established), as adopted pursuant to the Urban Boundaries Element of the General Plan, unless or until an RVLP parcel evaluation results in a determination of "suitable for nonagricultural zoning" pursuant to Section II.B et. seq. of the Rural Valley lands Plan Element of the County of Tulare General Plan (Added by Ord. No. 3131, effective 10-12-95):

Campground

Church Facilities

Guest Ranch or Summer Camp

Hunting and Fishing Clubs and Hunting and Fishing
on a commercial basis for members of the
general public

Public Park or Playground

Recreation Center

Recreation Vehicle Park

Public School Facilities

Private School Facilities.

VARIANCE
PROCEDURES
NOTICE

III.

- A. Upon the filing of a verified application by a property owner or

upon its own motion, the Planning Commission shall give public notice of the intention to consider the granting of a variance as provided in Section 18. (Amended by Ord. No. 810, effective 1-11-62.)

1. If the variance will allow new residential use of the property, and such residential use is not allowed without such variance, the following shall apply:

a. If a school district in which the proposed variance is located has made the findings specified in Section 7602 of the Ordinance Code of Tulare County and the Board of Supervisors has concurred in such findings and determined the fees payable by a developer in accordance with Sections 7-21-1020 and 7-21-1040 of the Ordinance Code, the Planning Commission shall not approve the proposed variance without finding that the fees previously determined by the Board are required, and imposing such fees as a condition of approval.

b. The applicant may appeal the requirement of fees to the Board of Supervisors in accordance with Section 7-21-1030 of the Ordinance Code of Tulare County. (Paragraph 1. added by Ord. No. 2217, effective 3-22-79; amended by Ord. No. 2668, effective 10-3-85.)

2. If the variance will allow a use of real property which is subject to review by the Site Plan Review Committee under Section 16.2 of this Ordinance, the Planning Commission shall notify the Site Plan Review Committee of the fact that the permit or variance is under consideration. No decision of the Planning Commission on a variance subject to review by the Site Plan Review Committee shall be made unless and until the Site Plan Review Committee submits a written report as required by this Ordinance. (Paragraph 2. added by Ord. No. 2417, effective 5-28-81.)

**ACTION BY
PLANNING
COMMISSION**

B. Not more than thirty-five (35) days following said hearing, the Planning Commission shall announce its findings by formal resolution and said resolution shall recite, among other things, the facts and reasons which, in the opinion of the Commission, make the granting or denial of the variance necessary to carry out the provisions of this Section and the general purposes of this Ordinance. If such resolution grants the variance, it shall also impose such conditions and limitations as may be needed to carry

out the purposes of this Section. Such resolutions shall be numbered consecutively in the order of their passage and shall become a permanent record of the Planning Commission. (Amended by Ord. No. 2179, effective 11-23-78.)

VARIANCE FINDINGS

C. Before any variance may be granted, it shall be shown:

1. That there are special circumstances applicable to the property involved including size, shape, topography, location or surroundings, so that the strict application of the zoning ordinance deprives the property of privileges enjoyed by other property in the vicinity and under identical zoning classification.
2. That the granting of the variance will be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.
3. That the variance will not authorize a use or activity which is not otherwise expressly authorized by the zone regulations governing the parcel of property.
4. That the granting of the variance is consistent with the General Plan.

In addition, if the variance pertains to a building or structure located within the building line setbacks established pursuant to Sections 7-19-1000 et seq. of the Ordinance Code of Tulare County, the findings required in Section 7-19-1215 of the Ordinance Code shall also be made before any variance may be granted. (Amended by Ord. No. 2107, effective 5-4-78; amended by Ord. No. 2481, effective 7-1-82.)

Further, if the variance pertains to any aspect of a specified hazardous waste facility, such variance shall not be approved unless the Board of Supervisors finds, based upon substantial evidence in the record, that the granting of the variance is consistent with Sections 7.2 and 7.3 of the Tulare County Hazardous Waste Management plan which identify siting criteria for hazardous waste facilities. (Amended by Ord. No. 2918, effective 8-25-90.)

APPLICATION REQUIREMENTS

- ### D.
- Application for a variance shall set forth in detail such factors as, in the opinion of the applicant, pertain to subparagraphs 1, 2, 3, and 4 of Paragraph C next above.

AMENDMENTS:

- E. Any person holding a variance may apply for an amendment to the variance by filing an application with the Planning and Development Director. For purposes of this subpart, the amendment of a variance may include modifications of the terms of the variance itself, or the application, waiver or alteration of conditions. The same procedures shall be followed in processing the application for amendment of a variance as are applicable to a new variance under this ordinance including, but not limited to, the public notices, hearings and appeal rights set forth in Section 18. (Added by Ord. No. 2884, effective 9-9-89.)

SECTION 16.2: SITE PLAN REVIEW
(Added by Ord. No. 2417, effective 5-28-81.)

PURPOSE

- A. The purpose of this section is to enable the County to make a finding that proposed development is in conformity with the provisions of this ordinance and the goals and objectives of the General Plan. The Site Plan Review process is further intended to provide a means whereby the Planning Department, Public Works Department, Building Department, Public Health Department, and Fire Warden's Office may establish consistent, uniform requirements of development projects.

APPLICATION

- B. When a Site Plan Review is required by this ordinance or by the Tulare County Ordinance Code, the following procedures shall apply.

SITE PLAN REVIEW
COMMITTEE

- C. 1. A Site Plan Review Committee is hereby established which shall consist of the Planning Director, the Public Works Director and the County Health Officer. Each of said members shall have the power to designate an employee in his office to act in his place on the Committee, on a permanent basis or from time to time as required.
2. The Planning Director, or his designated representative, shall act as Chairman of the Committee and the files and records of the Committee shall be maintained by the Planning Director.
3. All actions by the Committee require the concurring votes of at least two (2) members of the Committee.
4. The Site Plan Review Committee shall hold a regular public meeting at least twice each month at a time and place determined by the members, and such additional meetings as the members determine to be necessary. The Site Plan Review Committee shall adopt rules governing the transaction of business at its meetings and the other affairs of the Committee.

POWERS AND DUTIES
OF THE SITE PLAN
REVIEW COMMITTEE

- D. The powers and duties of the Site Plan Review Committee shall include:
1. Serve in an advisory capacity to the Planning Commission, Zoning Administrator, and Board of Supervisors on site plans submitted with Special Use Permits and Planned Unit Developments where required by this Ordinance.
2. Review and approve, conditionally approve or disapprove site plans where required by this Ordinance.

3. Review and make recommendations to applicants on the conformity of preliminary development plans with the provisions of County Plans, policies and regulations.
4. Such other duties as the Board of Supervisors may direct. (Amended by Ord. No. 2884, effective 9-9-89.)

PROCEDURES FOR
FILING SITE PLAN

E.

Preliminary Site
Plan

1. a. The applicant shall submit twelve (12) copies of the preliminary site plan to the Planning Director.
- b. At the time the preliminary site plan is submitted, the applicant shall pay to the Planning Director the appropriate fee as set forth in Section 18 of this ordinance to defray the expenses incidental to processing the plan, and, in addition, any required fee for the environmental studies and reports that may be required for the proposed project under the Environmental Quality Act of 1970 (Public Resources Code Section 21000 et seq.)

Final Site Plans

2. a. After the preliminary site plan is approved, the applicant shall submit twelve (12) copies of the final site plan to the Planning Director.
- b. At the time the final site plan is submitted, the applicant shall pay to the Planning Director the appropriate fee as set forth in Section 18 of this ordinance to defray the expenses incidental to processing the plan.

Acceptance

3. No site plan shall be deemed to be accepted for processing until the Planning Director has made the review authorized by Section 65943 of the Government Code of the State of California and has determined whether the site plan and accompanying documents are complete. When the Planning Director has determined that said plan and documents are complete, and transmitted the written notice that the plan and documents are complete, or when the thirty (30) day period has expired, all as set forth in said Section 65943, the site plan shall be deemed to be accepted for processing. If the Planning Director notifies the applicant that the plan and documents are not complete, the site plan shall not be processed until the Planning Director determines that all

Notices to
Agencies

information required by the notice has been supplied by the applicant.

4. Within five (5) working days after the submittal of a site plan and accompanying documents, the Planning Director shall transmit copies of the site plan to the Public Works Director, the County Health Department, the County Fire Warden, the County Building Department and to each of the public utilities affected, together with requests for recommendations on the proposed project. In addition, the County Planning Director shall transmit copies of the site plan to the following public and private agencies together with requests for recommendations on the proposed project:
 - a. Affected cities, if the proposed site is within the Urban Area Boundary of an incorporated city as adopted pursuant to the Urban Boundaries Element of the Tulare County General Plan.
 - b. Municipal Advisory Councils if the project site is within the sphere of influence of a Council.
 - c. School districts within which the project site is located, unless no residential development is proposed and the site is more than 1320' from a public school.
 - d. Community services districts within which the project site is located.
 - e. Water districts, irrigation districts and any other public or private agencies which, in the judgement of the Planning Director, would be affected by the proposed project.

SITE PLAN
CONTENTS

F.

Preliminary
Site Plan

1. The preliminary site plan maps shall be clearly and legibly drawn. The size of the sheet shall be appropriate to allow proper review, as determined by the Building and Planning Director. The scale of the map shall be one (1) inch equals one hundred (100) feet or a decimal fraction or a multiple of one hundred (100) feet. The preliminary site plan map shall contain the following information:
 - a. Location of the proposed project with reference to section, township, and range.

- b. Name and address of record owner and applicant.
- c. Name and address of person who prepared the site plan.
- d. Date of preparation.
- e. North point and scale.
- f. Approximate lot dimensions.
- g. General locations of existing and proposed buildings and proposed uses.
- h. Off-street parking areas and internal circulation patterns.
- i. Locations of proposed signs, if any.
- j. Preliminary drainage plan.
- k. Proposed landscaping areas.
- l. Proposed location of utilities, sewage disposal systems and domestic water supply systems.
- m. Approximate contour lines if necessary to illustrate the influence of topographic conditions on the design of the project. An aerial photograph or topographic model of the property may be submitted in lieu of indicating contour lines on the preliminary site plan map.
- n. Locations and names of water courses and areas subject to flooding or ponding of surface water.
- o. The proposed method of flood protection for any area subject to flooding or ponding of surface water.
- p. Locations of proposed public areas.
- q. Approximate grades of all streets or parts of streets exceeding six percent (6%).
- r. Proposed fire protection facilities.
- s. Such other information as may be required to be shown on preliminary site plans by other sections of this ordinance.

Information to
Accompany Prelimi-
nary Site Plan Map

- t. Such other information as may be required by the Planning Director to permit the Site Plan Review Committee to make the required findings and to take action on the preliminary site plan.

2. The preliminary map shall be accompanied by the following statements and documents:

- a. Six (6) copies of a preliminary geological-hydrological report prepared in accordance with Section 7052.5 of the Ordinance Code of Tulare County.
- b. Methods to be used for disposal of liquid and solid wastes.
- c. Method of supply of domestic water.
- d. An application and fees for the environmental studies and reports required for the proposed project under the Environmental Quality Act of 1970 (Public Resources Code Sections 21000 et seq.).
- e. Such other information as may be required to accompany preliminary site plans by other sections of this ordinance.

Final Site Plans

3. The size of the final site plan map shall be eleven (11) by seventeen (17) inches unless a larger sheet is required in which event sheets which are eighteen (18) by twenty-six (26) inches shall be used. The final site plan map shall be legibly drawn, in pencil or ink, and shall use a decimal or engineer's scale of not less than one (1) inch equals one-hundred (100) feet unless the Planning Director determines that a different scale will be adequate and appropriate for the site plan map. The final site plan map shall clearly show the following information:

- a. The location of the proposed project with reference to Section, township and range.
- b. Names and addresses of the record owner and applicant.
- c. Name and address of the person who prepared the site plan.
- d. Date of preparation.
- e. North point and scale.

- f. Lot dimensions: existing and proposed property lines.
- g. All existing and proposed buildings and structures including location, elevations, floor plans, size, height, and proposed use.
- h. Yard areas and space between buildings.
- i. Walls and fences including location, height and materials.
- j. Off-street parking: location, number of spaces, dimensions of parking area and internal circulation pattern.
- k. Access - pedestrian, vehicular, service: points of ingress and egress, internal circulation and type of surface paving.
- l. Names, location and dimensions of all adjoining streets, including street dedications and improvements as required in the Improvement Standards of Tulare County as adopted pursuant to Section 7080 of the Ordinance Code of Tulare County.
- m. Signs: location, size, materials and illumination.
- n. Off-street loading: location, dimensions, number of spaces, internal circulation.
- o. Exterior lighting: location, height and general nature including hooding devices and direction of illumination.
- p. Provisions for site drainage.
- q. Finish floor elevations and selected spot elevations at finished grade.
- r. The location and type of landscaping and irrigation systems.
- s. Existing topography if major changes in the topography are proposed. Topography shall be shown by sufficient elevation and contours to determine the general slope of the land and the high and low points thereof. Contours shall be shown at five (5) foot intervals for terrain having a natural slope of five percent (5%) or more. On areas with a slope of less than five percent (5%), the contours shall be shown at two (2) foot intervals.

- t. Location, percent of slope and height differential for all cut or fill slope banks over three (3) feet in height: methods and materials used for slope stabilization and drainage water diversion.
- u. Location and nature of all existing and proposed utilities including septic tanks, leach fields, community sewer systems and domestic water systems.
- v. Location of all existing and proposed easements including those for access and public utilities.
- w. Delineation of the intermediate regional flood lines, if applicable, and any natural or man-made water courses traversing the site, either permanent or intermittent.
- x. Fire protection facilities.
- y. Such other information as may be required by other sections of this ordinance to be shown on final site plans.
- z. Such other information as may be required by the Planning Director to permit the Site Plan Review Committee to make the required findings and take action on the site plan.

Information to
Accompany Final
Site Plan Map

- 4. The final site plan map shall show thereon or be accompanied by the following statements:
 - a. Legal description of the property.
 - b. Proposed uses of the property, including a statement of the relative proportions of the total area of the project site proposed to be devoted to each use.
 - c. A final geological-hydrological report prepared in conformance with Section 7063.2 of the Ordinance Code of Tulare County if required by the Site Plan Review Committee.
 - d. Specific source and type of water supply (e.g., drilled well, dug well, spring, etc.).
 - e. Method of sewage disposal.

- f. A tentative drainage plan indicating provisions for drainage and storm water control and, for any area which is located within the boundaries of the intermediate regional flood, the proposed method of flood protection.
- g. Types of street improvements and utilities which the applicant proposes to install.
- h. Description of street tree planting plan and other landscaping plans, if required.
- i. Statement of other improvements proposed to be made or installed.
- j. Statement of the time when improvements are proposed to be made or installed.
- k. Deed restriction, if any.
- l. Such other information that may be required by other sections of this ordinance to accompany final site plans.

Notice to
Applicant's Agent

- 5. If the project applicant desires that notices, reports and other communications from the Site Plan Review Committee, Planning Commission, the Board of Supervisors and other officers and agents of the County be sent to him in care of his engineer, architect, or other authorized agent, he shall attach to the site plan map a statement to that effect. If such a statement is attached to the site plan map, all notices, reports and communications required under the provisions of this section shall be sent to the subdivider in care of the engineer, architect or other authorized agent named in such statement.

Waiver of
Information

- 6. a. Upon written application by the project's sponsor, the Site Plan Review Committee may waive any of the items required to be shown on or accompanied with a site plan map as provided in this subsection or by other sections of this ordinance. The application shall fully state the grounds for the waiver and, in particular, why the information required to be shown will not serve the purpose of this ordinance and the intent of the General Plan. If the Site Plan Review Committee determines that the filing of such information will not serve the purposes set forth in this ordinance or the goals and objectives of the General Plan, the Committee may waive such requirements and the Planning Director shall accept the site plan

map without such requirements in accordance with subsection E of this Section. However, the Site Plan Review Committee does not have the authority to waive the requirement to file a site plan if such plans are required to be filed by this Ordinance.

- b. The Site Plan Review Committee may, by resolution, delegate to the Planning Director the authority and responsibility for reviewing applications for waiver of information in accordance with the directives contained in subparagraph a of this paragraph. (Amended by Ord. No. 2492, effective 8-26-82.)

Waiver of Preliminary Site Plan

- 7. Unless otherwise requested by the applicant, the Planning Director shall waive the requirement to file a preliminary site plan for any project which meets both of the following criteria:

- a. The property is not located within the boundaries of a zone which has been combined with the PD Zone.
- b. The filing of a preliminary site plan would not serve the purposes of this ordinance or the intent of the General Plan.

When the requirement to file a preliminary site plan has been waived pursuant to this paragraph, the applicant may file a final site plan for decision pursuant to the procedures set forth in paragraph 1 of subsection G of this section, insofar as said paragraph may be applicable to final site plans. (Paragraph 7 added by Ord. No. 2492, effective 8-26-82.)

SITE PLAN REVIEW G. PROCEDURES

Procedures when Acting as a Decision-making Body

- 1. Where the Site Plan Review Committee is authorized by this ordinance to review and approve, conditionally approve, or disapprove site plans, the following procedure shall apply:
 - a. The Site Plan Review Committee shall hold a public hearing and review and approved, conditionally approve, or disapprove the preliminary site plan map within fifteen (15) days after the date of acceptance by the Planning Director. The date of acceptance shall be determined in accordance with subsection E of this section. Said time limit may be extended by mutual consent of the Committee and the applicant.

- b. At least ten (10) days prior to the hearing before the Site Plan Review Committee, on the preliminary site plan map, the Planning Director shall give notice in accordance with the requirements of subparagraph c of paragraph 2 of subsection D of part II of Section 16 of this ordinance.
- c. If the Site Plan Review Committee determines that the preliminary site plan complies with all the provisions of this ordinance and is consistent with the goals and objectives of the General Plan, it shall adopt written findings to that effect and approve or conditionally approve the preliminary site plan.
- d. If the preliminary site plan fails to meet one or more requirements set forth in this ordinance, or is inconsistent with one or more of the goals and objectives of the General Plan, the Site Plan Review Committee shall adopt written findings describing the inconsistencies and either deny the preliminary site plan or approve the plans subject to such conditions as may be necessary or convenient to ensure conformity to such requirements, goals and objectives. The written findings may include a description of appropriate changes in project type or design as may be necessary or convenient to ensure conformity with this ordinance and the General Plan.
- e. Within seven (7) days after the action of the Committee, a copy of the written findings shall be furnished to the applicant, the Planning Commission, the Board of Supervisors and to each public and private agency to which a copy of the preliminary site plan was transmitted in accordance with Subsection E of this Section.
- f. Once the preliminary site plan has been approved or conditionally approved by the Site Plan Review Committee, the applicant may submit a final site plan, prepared in accordance with the approved or conditionally approved preliminary site plan, to the Planning Director for review and approval by the Site Plan Review Committee.

- g. Upon acceptance of the final site plan by the Planning Director, the Director shall transfer said map and accompanying documents to the Site Plan Review Committee. The Committee shall fix the meeting date at which the final site plan will be considered, which shall be within fifteen (15) days thereafter. The Committee shall approve, conditionally approve or disapprove the final site plan within said fifteen (15) day period unless extended by mutual consent of the Committee and the applicant.
- h. At least five (5) days prior to the meeting, the Planning Director shall provide written notice of the time and place of said meeting to the applicant. No public notice or public hearing shall be required for review of a final site plan except as set forth in subparagraph (1) of this paragraph.
- i. Any interested person may request that the Site Plan Review Committee hold a public hearing on a final site plan pursuant to this paragraph. Such a request shall be in writing and shall be filed with the Planning Director at least ten (10) days before the date on which the final site plan is scheduled for review by the Site Plan Review Committee. If a request for public hearing is filed prior to said ten (10) day period, the Site Plan Review Committee shall schedule a public hearing to review the final site plan and the Planning Director shall give public notice of said hearing in accordance with the procedure set forth in subparagraph (b) of this paragraph. If no request for hearing is filed prior to said ten (10) day period, the Site Plan Review Committee shall take action on the final site plan in accordance with this ordinance.
- j. If the Site Plan Review determines that the final site plan complies with all the provisions of this ordinance and is consistent with the goals and objectives of the General Plan, it shall adopt findings to that effect and approve or conditionally approve the final site plan.
- k. If the final site plan fails to meet one or more requirements set forth in this ordinance, or is inconsistent with one or more of the goals and objectives of the General Plan, the Site Plan Review Committee shall

adopt findings describing the inconsistencies and either deny the final site plan or approve the plan subject to such conditions as may be necessary or convenient to ensure conformity to such requirements, goals or objectives.

1. Within seven (7) days after the action by the Site Plan Review Committee, written notice of the action of the Committee shall be furnished to the applicant, the Planning Commission, the Board of Supervisors and to each public and private agency to which a copy of the site plan was transmitted in accordance with Subsection E of this Section.

m. Upon approval of the final site plan by the Site Plan Review Committee, the site plan shall be so marked and all conditions of approval and required dedications and improvements clearly specified on or with the plan. Copies of the approved site plan shall be filed with the Planning Director, the County Health Department, the County Public Works Department, the County Fire Warden and the County Building Department.

Procedure When
Acting as an
Advisory Body

2. In those cases where the Site Plan Review Committee is required to serve in an advisory capacity to the Planning Commission, Zoning Administrator, and Board of Supervisors on special use permits, subdivisions and planned developments, the following procedures shall apply:

a. Prior to filing an application for a special use permit, tentative subdivision map, or planned development, an applicant shall submit a preliminary site plan for the project to the Planning Director in accordance with paragraphs 1 and 2 of subsection F of this section. The date of acceptance of the preliminary site plan shall be determined in accordance with subsection E of this section.

b. Within fifteen (15) days after the date of acceptance the Site Plan Review Committee shall meet and adopt written findings concerning the preliminary site plan. The date of acceptance shall be determined in accordance with Subsection E of this Section. Such time limit may be extended by mutual consent of the Committee and the applicant.

- c. At least five (5) days prior to said meeting, the Planning Director shall provide written notice to the applicant of the time and place thereof. No other public notice and no public hearing shall be required for any meetings held by the Site Plan Review Committee when serving in an advisory capacity to the Planning Commission, Zoning Administrator, and Board of Supervisors on site plans submitted for special use permits, subdivisions and planned unit developments.
- d. If the Site Plan Review Committee determines that the preliminary site plan complies with all the provisions of this Ordinance and is consistent with the goals and objectives of the General Plan, it shall adopt written findings to that effect.
- e. If the preliminary site plan fails to meet one or more requirements set forth in this Ordinance or is inconsistent with one or more of the goals and objectives of the General Plan, the Site Plan Review Committee shall adopt written findings describing the inconsistencies. The written findings may include a description of appropriate changes in project type or design as may be necessary or convenient to insure conformity with such requirements, goals and objectives.
- f. Within seven (7) days after the action of the Committee, a copy of the written findings shall be furnished to the applicant, the Planning Commission, the Board of Supervisors and to each public and private agency to which a copy of the preliminary site plan was transmitted in accordance with Subsection E of this Section.
- g. Once written findings for the preliminary site plan are adopted, the applicant may submit an application for a special use permit, a tentative subdivision map or a planned development. Said application shall be accompanied by a final site plan and other documents prepared in accordance with the provisions of paragraphs 3 and 4 of subsection F of this Section. An application for a special use permit or a planned unit development may not be accepted by the Planning Director without first securing written findings for a preliminary site plan pursuant to this paragraph. The date of acceptance in accordance with subsection E of this Section.

- h. Upon acceptance of the final site plan, the Director shall transfer said plan and accompanying documents to the Site Plan Review Committee. The Committee shall fix the meeting date at which the final site plan will be considered, which shall be within fifteen (15) days thereafter. The Committee shall adopt written findings and recommendations concerning the final site plan within said fifteen (15) day period unless extended by mutual consent of the Committee and the applicant.
- i. The applicant shall be given notice of the time and place of said meeting in accordance with the procedures set forth in this paragraph for preliminary site plans. No public notice or public hearing shall be required for review of a final site plan pursuant to this paragraph.
- j. If the Site Plan Review Committee finds that the proposed final site plan for the special use permit, tentative subdivision map or planned development complies with all of the provisions of this Ordinance and is consistent with the goals and objectives of the General Plan, it shall adopt written findings to that effect and recommend that the body taking final action on the application approve the project.
- k. If the final site plan for the special use permit, tentative subdivision map, or planned unit development falls to meet one or more requirements set forth in this Ordinance or is inconsistent with one or more of the goals and objectives of the General Plan, the Site Plan Review Committee shall adopt written findings describing the inconsistencies and may either recommend denial of said application or recommend that said application be approved subject to such conditions, including changes in the type of project or project design, as may be necessary or convenient to insure conformity with the aforementioned requirements, goals and objectives.
- l. Within seven (7) days after the action by the Site Plan Review Committee, written notice of the action of the Committee shall be mailed to the applicant, the Planning Commission, the Board of Supervisors and to each public and private agency to which a copy of the final site plan was transmitted,

in accordance with Subsection E of this Section.

- m. Said written notice shall be in the form of a recommendation to the appropriate decision-making body.

Simultaneous
Processing with
Parcel Maps

- 3. In those cases where the Site Plan Review Committee is required by this ordinance to review site plans on subdivisions for which a parcel map is required by the Subdivision Map Act (Sections 66410 et seq. of the Government Code of the State of California), the procedure set forth in paragraph 2 of this subsection shall be applicable, subject to the following exceptions:

- a. The preliminary site plan shall be filed and processed with a preliminary parcel map in accordance with Section 7050 et seq. of the Ordinance Code of Tulare County.
- b. The transmittal of the preliminary site plan to public and private agencies pursuant to Subsection E of this section shall be combined with the transmittal of the preliminary parcel map pursuant to Section 7050 of the Ordinance Code of Tulare County.
- c. The meeting at which the preliminary site plan is to be discussed with the subdivider shall be held in conjunction with the design conference scheduled for the preliminary parcel map pursuant to Section 7053 of the Ordinance Code of Tulare County.
- d. The written findings required for preliminary site plans shall be incorporated into the written report for the design conference required by said Section 7053.
- e. Once the written findings on the preliminary site plan are adopted, the applicant may submit a tentative parcel map. Said tentative parcel map shall be accompanied by a final site plan and other documents prepared in accordance with paragraphs 3 and 4 of Subsection F of this Section. A tentative parcel map may not be accepted by the Planning Director without first securing written findings for a preliminary site plan pursuant to this paragraph. The date of acceptance of the final site plan map shall be determined in accordance with Subsection E of this section.

Simultaneous
Processing with
Preliminary Sub-
division Maps

- f. Following acceptance of the final site plan, the Director shall fix the meeting date at which the final site plan will be considered by the Committee, which shall be the same date established for the public hearing on the tentative parcel map pursuant to Section 7105.2 of the Ordinance Code of Tulare County. The final site plan shall be considered by the Committee at the same time that the tentative parcel map is considered.
 - g. The transmittal of the final site plan to public and private agencies pursuant to Subsection E of this section shall be combined with the transmittal of the tentative parcel map pursuant to Section 7100 et seq. of the Ordinance Code of Tulare County.
 - h. A written recommendation shall not be required for final site plans prepared for tentative parcel maps; however, written findings shall be adopted by the Committee and incorporated into the final written decision on the tentative parcel map.
4. In those cases where the Site Plan Review Committee is required by this Ordinance to review site plans on subdivisions for which a tentative and final map is required by the Subdivision Map Act (Sections 66410 et seq. of the Government Code of the State of California), the procedure set forth in paragraph 2 of this subsection shall be applicable, subject to the following exceptions:
- a. The preliminary site plan shall be filed and processed in conjunction with a preliminary subdivision map in accordance with Section 7050 et seq. of the Ordinance Code of Tulare County.
 - b. The transmittal of the preliminary site plan to public and private agencies shall be combined with the transmittal of the preliminary subdivision map pursuant to Section 7050 of the Ordinance Code of Tulare County.
 - c. The meeting at which the preliminary site plan is to be discussed with the subdivider shall be held in conjunction with the design conference scheduled for the preliminary subdivision map pursuant to Section 7053 of the Ordinance Code of Tulare County.

Review of Preliminary Development Plans:

- d. The written findings required for preliminary site plans shall be incorporated into the written report on the design conference required by said Section 7053.
5. In those cases where the Site Plan Review Committee is requested to review and make recommendations on preliminary development plans, and site plan review is not otherwise required, the following procedures shall apply:
 - a. Prior to filing an application for a change of zone, Special Use Permit or variance, an applicant may submit a preliminary development plan to the Planning and Development Director.
 - b. Within ten (10) days after submission, the Site Plan Review Committee shall meet with the applicant to review the preliminary development plan. Representatives of the Fire Warden, cities, school districts, the State Division of Highways, utility companies and other public and private agencies affected by the proposed project may attend the meeting. The Planning and Development Director, the Public Works Director, the Health Officer, and the Fire Warden or their authorized representatives shall make recommendations to the applicant regarding the conformity of the preliminary plan with the provisions of County plans, policies and regulations and regarding possible improvements in the design of the project. Representatives of public and private agencies to which the preliminary development plan was transmitted may also make recommendations to the applicant regarding the proposed project.
 - c. The Planning and Development Director shall furnish a written report of the recommendations presented at the meeting to the applicant, the other members of the Site Plan Review Committee, the Planning Commission and to each public and private agency to which a copy of the preliminary development plan was submitted. In those cases in which the Board of Supervisors will be taking final action on the project, a copy of said report shall be filed with said Board. (Paragraph 5 added by Ord. No. 2884, effective 9-9-89.)

FINDINGS: AUTHORITY TO REQUIRE DEDICATIONS AND IMPROVEMENTS H.

1. Before any site plan may be approved or recommended for approval, the Site Plan Review Committee shall find:
 - a. That all the provisions and requirements of this ordinance are complied with:
 - b. That all applicable provisions and requirements of the General Plan are complied with.
 - c. That the following are so arranged that traffic congestion is avoided, pedestrian and vehicular safety and welfare are protected, and there will be no adverse effects on surrounding property:
 - (1) Buildings, structures and improvements.
 - (2) Vehicular ingress and egress and internal circulation.
 - (3) Setbacks.
 - (4) Height of buildings and other structures such as signs, towers, and air-wave receiving antennae.
 - (5) Location of service.
 - (6) Walls and fences.
 - (7) Landscaping.
 - d. That any proposed outdoor lighting is arranged so as to reflect the light away from adjoining properties and roadways.
 - e. That proposed signs for outdoor advertising structures will not, by reason of size, location, color or lighting, interfere with safe traffic movement, limit visibility, or depreciate the value of adjoining property or the neighborhood.
2. In those cases where the Site Plan Review Committee is acting in a final decision-making capacity, the Committee shall have authority to grant approval of a final site plan subject to any reasonable conditions, including dedications and improvements, which are deemed necessary or convenient to insure conformity to or implementation of the requirements of this ordinance and the goals and objectives of the General Plan. The decision of the Site Plan Review Committee shall

be final unless appealed to the Board of Supervisors in a manner provided in subsection 1 of this section.

3. In those cases where the Site Plan Review Committee is acting in an advisory capacity to the Planning Commission, Board of Supervisors or Zoning Administrator, the Site Plan Review Committee may recommend, as a condition of approval of the special use permit, subdivision or planned unit development, any reasonable conditions, including dedications or improvements, which the Committee deems necessary or convenient to insure conformity to or implementation of the requirements of this ordinance and the goals and objectives of the General Plan. The decision of the Site Plan Review Committee when it is acting in an advisory capacity to another decision-making body, is not subject to appeal.

APPEALS

I.

1. Any person adversely affected by a decision of the Site Plan Review Committee when the Committee is acting in a final decision-making capacity in accordance with paragraph 1 of Subsection G of this Section, may appeal the decision to the Board of Supervisors. An appeal to the Board of Supervisors shall be in writing and filed with the Clerk of the Board of Supervisors in accordance with Section 115 of the Ordinance Code of Tulare County.
2. At the next regular meeting of the Board of Supervisors following the filing of the appeal, the Board of Supervisors shall set the matter for hearing at a meeting to be held within thirty (30) days thereafter. The Clerk shall give notice of the time and place of the hearing in the manner provided in subparagraph (b) of paragraph 1 of Subsection G of this section and in Section 115 of the Ordinance Code of Tulare County. In addition, the clerk shall give notice to any other interested person who has requested notice of such hearing.
3. The Board of Supervisors shall hear the appeal in accordance with Section 115 of the Ordinance Code of Tulare County. After the appeal hearing, the Board of Supervisors may affirm, reverse, or

modify the decision of the Site Plan Review Committee, or refer the matter to the Site Plan Review Committee for further action. The decision of the Board of Supervisors shall be final and conclusive as to all things involved in the matter.

4. Within seven (7) days after the action by the Board of Supervisors, the Clerk of the Board shall give written notice of the decision to the person filing the appeal, the applicant, the Site Plan Review Committee, the Planning Commission, each public and private agency to which a copy of the site plan was transmitted, and to any other person who requests such written notice.

**ADDITIONAL
REQUIREMENTS FOR
SITE PLANS SUBJECT
TO APPROVAL BY
COMMITTEE**

- J. The following additional requirements shall be applicable only to site plans which are subject to final approval by the Site Plan Review Committee in accordance with paragraph 1 of Subsection C of this Section.

**Effect of Site
Plan Approval**

1. a. Before any building permits may be issued for improvements which are subject to Site Plan Review Ordinance, the Building Department shall secure a certificate from the Planning Department that:
 - (1) The proposed relocation, construction, or building alteration is in conformity with the final site plan and conditions approved by the Site Plan Review Committee.
 - (2) All required improvements have either been completed, or if not completed, the applicant has certified that they will be completed prior to issuance of an occupancy permit for the proposed use.
 - (3) All required dedications have been submitted.
- b. A final site plan approved pursuant to provisions of this section shall run with the land and shall continue to be valid upon a change of ownership of the site which was the subject of the final site plan approval.

**Expiration and
Extension**

2. a. Preliminary Site Plans:
 - (1) A preliminary site plan approval shall lapse and become null and void one (1) year following the date of approval by the Site Plan Review Committee unless,

prior to the expiration of one (1) year, a final site plan for the proposed project has been submitted to the Planning Director.

- (2) Upon written application by the applicant filed prior to the expiration of the approved or conditionally approved preliminary site plan, the time at which such site plan expires may be extended by the Site Plan Review Committee for an additional period or periods of not more than one (1) year. If the Site Plan Review Committee denies an applicant's request for an extension, the applicant may appeal the decision to the Board of Supervisors.

b. Final Site Plans:

- (1) A final site plan approval shall lapse and become null and void one (1) year following the date on which approval by the Site Plan Review Committee became effective unless, prior to the expiration of one (1) year, a building permit is issued by the Building Department and/or construction is commenced and diligently pursued toward completion of the project which was the subject of the final site plan approval.
- (2) Upon written application of the applicant filed prior to the expiration of the approved or conditionally approved final site plan, the time at which such site plan expires may be extended by the Site Plan Review Committee for an additional period or periods of not more than two (2) years. If the Site Plan Review Committee denies an applicant's request for extension, the applicant may appeal the decision to the Board of Supervisors.

- c. The expiration of the approved or conditionally approved site plan shall terminate all proceedings and, unless otherwise provided in this ordinance, no construction or development of the real property included within such site plan may be undertaken without first processing a new preliminary and final site plan.

Revocation of
Site Plan

3. a. Failure of an owner or operator to comply with all conditions of approval of the final site plan shall be a basis for a revocation of the approval of said site plan. When non-compliance or a violation is discovered during inspection or at any other time, the Planning Director shall give the owner or operator of the use of real property authorized by the final site plan written notice of the acts of noncompliance or violation and direct that they be corrected within a specified period of time. If said corrections are not made in compliance with the notice, the Planning Director shall report the noncompliance to the Site Plan Review Committee which may commence revocation proceedings.
- b. Before revoking a site plan, the Site Plan Review Committee shall provide public notice and hold a public hearing pursuant to the procedures for notice and hearings on preliminary site plan as set forth in paragraph 1 of subsection G of this section. Notice of said hearing shall also be given to public and private agencies in accordance with subsection E of this section.
- c. At the hearing the Site Plan Review Committee may revoke the final site plan approval and require that the site be restored to its condition existing prior to original approval of the final site plan, or the Site Plan Review Committee may allow the continuation of the final site plan approval with or without additional conditions.
- d. The decision of the Committee shall be in writing and shall indicate findings of fact relied on in making the decision. Within seven (7) days after the action by the Committee, the written decision shall be furnished to the owner or operator, the Planning Commission, the Board of Supervisors and to each public and private agency who received notice of the revocation hearing in accordance with subparagraph b of this paragraph.
- e. Any person adversely affected by the decision of the Site Plan Review Committee shall be entitled to appeal to the Board of Supervisors from the decision of the Site Plan Review Committee as provided in subsection 1 of this section.

Security for
Improvements

4. If the required improvements, including construction of both public and private improvements, have not been completed at the time the applicant requests an occupancy permit from the County Building Department, the occupancy permit shall not be approved until the applicant has entered into an agreement with the Board of Supervisors to complete all of said improvements. Said agreements shall be subject to all provisions of Chapter 1 of Part VII of the Ordinance Code of Tulare County governing such agreements for subdivisions. In addition, the applicant shall provide security to guarantee to the County the completion of said improvements and said security shall be in the same form, and subject to all of the same conditions, restrictions and other provisions applicable to the similar security required for subdivisions under Chapter 1 of Part VII of this Ordinance Code.

Revisions to
Site Plans

5. a. Minor Revisions: The Planning Director is authorized to approve minor modifications or revisions of approved final site plans upon a request by the applicant, or his successors, as long as said modifications do not substantially affect the determination of the Site Plan Review Committee. The Planning Director's approval of such minor modifications or revisions shall be noted on the approved final site plans and the Planning Director shall refer said modified plans to the Site Plan Review Committee for concurrence with his decision. If the Site Plan Review Committee concurs with the Planning Director's decision, the Planning Director shall within seven (7) days thereafter provide written notice of his decision to the applicant and to any public or private agency which, in the judgement of the Planning Director, would be affected by said minor revision. If the Site Plan Review Committee does not concur with the Planning Director's decision, the Planning Director shall within seven (7) days thereafter provide written notice of the Committee's decision to the applicant.
- b. Major Revisions: If the Planning Director determines that the proposed modifications or revisions constitute a major deviation from the approved final site plan, or that such revisions or modifications are inconsistent with the intent of the Site Plan Review Committee in its approval of the original site plan, or if the Site Plan Review Committee does not concur with the

Planning Director's decision under paragraph 1 of this subsection, the applicant shall file a new preliminary and final site plan in accordance with subsections E and G of this section. The same procedures shall be applicable to a major site plan revision as are applicable to the approval of the original site plan. No deviation from the original final site plan shall be undertaken by the applicant or his successors until a new final site plan incorporating the revisions has been approved by the Site Plan Review Committee.

Effective Date

6. A final site plan approval will not be effective until twenty (20) days after the date on which it is granted by the Site Plan Review Committee and until the applicant, at his own expense, has executed and filed with the County Recorder, a certified copy of the resolution of the Site Plan Review Committee approving said site plan with a duly authorized acceptance in the form approved by the County Counsel, endorsed thereon.

**Interim School
Facilities Fees:**

7. a. If a proposed preliminary site plan will allow residential use of the property and such residential use is not permitted without such site plan, and if a school district in which the proposed site plan is located has made the findings specified in Section 7602 of the Ordinance Code of Tulare County and the Board of Supervisors has concurred in such findings and determined the fees payable by a developer in accordance with Sections 7603 and 7606 of the Ordinance Code, the Site Plan Review Committee shall not approve the proposed preliminary site plan without finding that the fees previously determined by the Board are required, and imposing such fees as a condition of approval.
- b. The applicant may appeal the requirement of fees to the Board of Supervisors in accordance with Section 7604.1 of the Ordinance Code of Tulare County. (Amended by Ord. No. 2668, effective 10-3-85.)

SECTION 16.4: "SR", SITE REVIEW COMBINING ZONE
(Added by Ord. No. 2910, effective 12-28-89)

PURPOSE

- A. 1. The purpose of the Site Review Combining Zone is to designate those areas of the County where the site plan review process is required in order to determine if the proposed development is in conformance with the policies, standards, and objectives of this Ordinance, the County Ordinance Code and the General Plan.
2. The SR Zone is intended to be combined with the other zones set forth in this Ordinance and may not be established on the Zoning Map unless it is combined with other zones. When this zone is combined with other zones, a new zone is thereby created, and the regulations of this Section shall be applicable in addition to those which are applicable in the zone with which this zone is combined. In addition, where the provisions of the underlying or base zone conflict with the requirements of this Section, the requirements of this section shall prevail over those in the underlying or base zone. The new combined zone shall be shown on the Zoning Map by the letters "SR" following the symbol of the underlying or base zone.

SITE PLAN REVIEW
REQUIRED

- B. No building or relocation permit shall be issued or special use permit approved, nor shall any grading or construction work be allowed until a final site plan has been reviewed and approved or recommended for approval by the Site Plan Review Committee in accordance with the procedures set forth in Section 16.2 of this Ordinance. However, a site plan shall not be required for any of the following buildings or uses when otherwise allowed by the Zone combined with the SR Zone.
1. One (1) single-family residence or mobilehome and buildings accessory thereto on a single lot or parcel.
2. Growing and harvesting of field crops, fruit and nut trees, vines, vegetables, horticultural specialties and timber.
3. Raising of rabbits and fur bearing animals, poultry, sheep, goats, horses, mules, swine, bovine animals and other similar domesticated quadrupeds.
4. Minor improvements, as defined in Section 2 of the Zoning Ordinance.

APPENDIX C

KINGS/TULARE CONTINUUM OF CARE SURVEY

Kings/Tulare Continuum of Care Survey

Calculation Results

June 6, 2003

Total Number of Surveys: 797

Survey Language: 643 English
154 Spanish

Sex: 375 Male (47%)
(793) 418 Female (53%)

Age:
(753)

< 20 years	37	(4%)
20-29 years	193	(26%)
30-39 years	241	(32%)
40-49 years	157	(21%)
50-59 years	73	(10%)
60-69 years	31	(4%)
70+ years	21	(3%)

Ethnicity:
(784)

African American	36	(5%)
Native American	21	(3%)
White	247	(31%)
Asian/Pacific Islander	9	(1%)
Hispanic/Latino	451	(57%)
Multi-Cultural	20	(3%)

Language: (787)

English	458	(58%)
Spanish	296	(37%)
Hmong	0	(0%)
Lao	1	(0.5%)
Other	1	(0.5%)
English/Spanish	29	(3%)
English/Italian	1	(0.5%)
English/Asian	1	(0.5%)

Highest Level of Education:

(783)

Grade School	262	(33%)
High School	368	(47%)
Some College	99	(13%)
College Degree	31	(4%)
Never Attended School	23	(3%)

How Long Homeless:

(618)

1 month or less	74	(12%)
2-6 months	221	(36%)
7-12 months	115	(19%)
13-24 months	89	(14%)
25-36 months	38	(6%)
37+ months (chronic)	81	(13%)

Homeless Before:

(754)

Yes	342	(45%)
No	412	(55%)

Employed:

(780)

Yes	153	(20%)
No	627	(80%)

Length Unemployed:

(255)

Less than 3 months	43	(17%)
3 to 6 months	40	(16%)
6 to 9 months	17	(6%)
9 to 12 months	8	(3%)
12 to 18 months	25	(10%)
18 to 24 months	8	(3%)
24 to 36 months	22	(9%)
36 to 48 months	22	(9%)
48 to 60 months	6	(2%)
More than 60 months	64	(25%)

Veteran:

(778)

Yes	53	(7%)
No	725	(93%)

Ex-Offender:

(767)

Yes	230	(30%)
No	537	(70%)

Domestic Violence Victim:

(779)

Yes	134	(17%)
No	645	(83%)

Current Housing:

(769)

Emergency Shelter	77	(10%)
Transitional Housing	88	(11%)
Relative or Friend	274	(36%)
Street or Car	36	(5%)
Motel/Hotel	55	(7%)
Other	239	(31%)

Previous Housing Location:

(751)

Kings County	138	(18%)
Tulare County	436	(58%)
Another County	72	(10%)
Out of State	39	(5%)
Out of Country	66	(9%)

Homeless with Spouse or Partner:

(744)

Yes	208	(28%)
No	536	(72%)

Children:

Living with You

1	2	3	4	5
78	96	66	36	20

Living with Family/Friends

1	2	3	4	5
24	53	26	15	2

with Child Welfare or Child Protective Services

1	2	3	4	5
3	1	1	0	0

in Foster Care

1	2	3	4	5
2	2	4	1	1

Other

1	2	3	4	5
4	2	2	5	0

Disabled:

(758)

Yes	266	(35%)
No	492	(65%)

(Percentages are based on affirmative responses)

Physical	108	(41%)
Mental	69	(26%)
HIV/AIDS	4	(1%)
Substance Abuse	87	(32%)
Dual Diagnosis	18	(7%)
Post Traumatic Stress	25	(9%)

Size House/Apartment Needed:

(769)

Studio	79	(10%)
1 bedroom	167	(22%)
2 bedroom	256	(33%)
3 bedroom	197	(26%)
4 bedroom	55	(7%)
5 bedroom	15	(2%)

Services Needed:

(797)

(Percentages based on total number of people surveyed)

Food/Hot Meal	438	(55%)
Health Care	452	(57%)
Dental Care	492	(62%)
Vision Care	360	(45%)
Substance Abuse Treatment	172	(22%)
Mental Health Care	175	(22%)
Job Training	402	(50%)
Transportation	440	(55%)
Education	247	(31%)
Life Skills Training	205	(26%)
Housing Assistance	481	(60%)
Case Management	160	(20%)
Legal	183	(23%)
Child Care	178	(22%)

Services Unable to Access:

(797)

(Percentages based on the total number of people surveyed)

Food/Hot Meal	199	(25%)
Health Care	314	(39%)
Dental Care	332	(42%)
Vision Care	271	(34%)
Substance Abuse Treatment	102	(13%)
Mental Health Care	123	(15%)
Job Training	283	(36%)
Transportation	302	(38%)
Education	179	(22%)
Life Skills Training	148	(19%)

Housing Assistance	402	(50%)
Case Management	109	(14%)
Legal	136	(17%)
Child Care	133	(17%)

U.C. BERKELEY LIBRARIES



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